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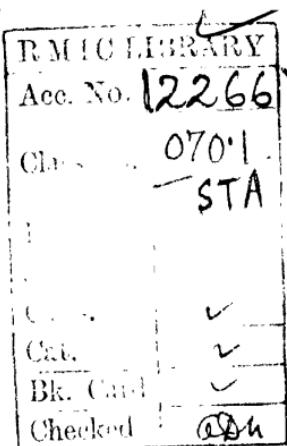
SKETCH
OF THE HISTORY AND INFLUENCE
OF
The Press
IN
BRITISH INDIA;
CONTAINING
REMARKS ON THE EFFECTS OF A
Free Press
ON
SUBSIDIARY ALLIANCES; ON THE DELAYS OF OFFICE; ON
SUPERSTITION; ON THE ADMINISTRATION OF JUSTICE;
ON FLOGGING; AND ON AGRICULTURE.
ALSO,
ON THE DANGERS OF A FREE PRESS,
AND THE
Lentiousness of a Censorship.

“ The Liberty of the Press is attended with so few inconveniences, that it may be claimed as the common right of mankind, and ought to be indulged them in almost every government, except the ecclesiastical, to which, indeed, it would be fatal.”—HUME.

By LEICESTER STANHOPE.

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1823.



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TO THE RIGHT HONOURABLE
THE EARL OF GREY, &c. &c. &c.

My Lord,

IT is not to cover the defects too observable in these pages that I venture to dedicate them to your Lordship, for “books should have no patrons but truth and reason.” I present them to your Lordship as the tried patron of the liberties of England, Genoa, and Norway ; of Africa, and of the whole world. After a life thus usefully devoted to the high interests of man, nothing surely but an universal Censorship on the Press can prevent your Lordship from appearing, on the archives of the human race, as a public benefactor.

I am

Your Lordship’s most devoted servant,

LEICESTER STANHOPE.

IN the performance of their duties, it is the proud fate of British officers to traverse the world. The character of our education, the genius of our government, lead us to take a sympathy in the fortunes of men, and to promote their welfare. Under the controul of this feeling I have acted. I have collected and published my own and other men's thoughts on the present, and, highly probable, future influence of the Press in Asia. The cause is noble and of paramount importance to the immediate interests of nearly four-fifths of our fellow-subjects, who pay us, in yearly tribute, about twenty millions sterling.

Regardless of self, my endeavour has been to speak out with truth and impartiality, and by furnishing some information respecting a far distant country, to forward the laudable exertions of those who, from their talents and pursuits, are capable of applying such knowledge to the public advantage. More cannot be expected from a Soldier.

London, April 17, 1823.



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is this—**Do** no wrong! “ Le précepte même de faire du bien, s'il est subordonné à celui-là, est dangereux, faux, contradictoire ; le méchant fait du bien, il fait un heureux aux dépens de cent misérables.”* Now, whatever wrong the Marquis of Hastings may have done, has been open to free discussion. His Lordship threatened Mr. Buckingham on account of some sharp sarcasms upon the late Bishop of Calcutta, which appeared in his Journal. With this exception, the writer is not aware of any wrong done by that ruler, or, in portraying his public conduct, he should feel it his duty to proclaim it to the world.

The next question for consideration is, What good has the Marquis of Hastings effected? He conquered the enemies of the state, placed the empire in security, and established order and a system of police all over Central India. Lord Hastings treated the native princes with courtesy and justice, and reformed the abuses of the subsidiary states. He restored the representative Government of Elders in the Rajpoot countries. By the establishment of native agency, he cleared the files of the courts, of the vast arrears of undecided causes. Lord Hastings adopted the practice of the ancient sovereigns, by receiving in his walks and rides the petitions of the meanest natives. He paid every attention to their complaints, and caused inquiry to be made as to the truth of their allegations. Thus an appeal was open to all, and oppression was checked, if not prevented. His Lordship also improved the system of administrative justice in the army, and calmed the angry feelings of the soldiery; so that no military disturbance has taken place during his long go-

* Rousseau.

vernment. Notwithstanding the extensive and protracted wars in which he was engaged, the revenues have improved and he has reduced the interest of money. Lord Hastings has founded Colleges and Schools all over the country. Seminaries for the lower orders had indeed been established there from time immemorial, but it was equally the object of the government and the teachers to engrave superstition on the youthful mind; that both mind and body might be enslaved.

The system of education adopted all over the world was framed after the model of these Hindoo schools, and there is a striking fact connected with this history. When Sir W. Jones visited Madras, one Andrew Ross, a merchant, took him to a village school in the neighbourhood of the Presidency. This great man was immediately struck with the simplicity, economy, and utility of this system of education. His remarks made a strong impression on the good merchant, who afterwards, I believe, persuaded Dr. Bell to establish at Madras the Male Asylum, of which Andrew Ross was a director.

The most remarkable feature, however, of the Marquis of Hastings's administration, and which will render it immortal, was the abolition of the base Censorship on the Press. By the diffusion of education and the establishment of a Free Press, the great sources of knowledge were thrown open; all the intelligence of the age was set at work to promote improvement, and superstition and despotism cannot long breathe in so light and pure an atmosphere.

SECTION II.

State of the Press in British India, previous to the Establishment of a Censorship.

“However surprising it might seem in absolute Governments, yet it is certain that the historians of the East wrote with more freedom concerning persons and things than writers have ever dared to do in the West.”—*Dow's Indostan.*

PREVIOUS to Lord Wellesley's administration, no restriction on writing or publishing had ever existed in Indostan. The *Censorship of the Press or on writing there, was an innovation*, and this alone was wanting, where power fell into the hands of an arbitrary ruler, to complete the sum of human misery under Asiatic despotism.

The Hindoos of ancient times were distinguished for their learning. Abstract speculations and a redundant mythology obscured their more useful knowledge; still they were a people far advanced in the march of intellect. Their government was indeed despotic, but no trace has been discovered in history or law-book, of any restriction on writing. In those times, all was open to research and discussion, and there were no limits to their acquirements but the powers of their own minds. The Mahomedan Emperors gave every encouragement to learning. The Institutes of Timur and of Akbar abound with incitements to their subjects to cultivate their minds and to improve their knowledge. “I ordained,” says the latter Emperor, “that in every town and in every city a mosque and a school, and a monastery and an alms-house for the poor and indigent,

and an hospital for the sick and infirm, should be founded."* Their colleges were crowded with learned men, and in these schools there were no restraints on the liberty of investigation.

The historians of Indostan wrote with freedom on the conduct and duties of their sovereigns, and some of their rulers acted up to the noble principles which their Chroniclers inculcated. Abulfazil states that Akbar was visible to every body twice in the course of twenty-four hours, and that he received their petitions without the intervention of any person, and, tried and decided upon them. "Akbar," says he, "seateth himself on the eminence of humanity. In his behaviour there is such a condescension that the petitioner seems to be the judge, and himself the suitor for justice. He considers the happiness of the people as the best means of pleasing the Creator. He is ever searching after those who speak truth, and he is not displeased with words that are bitter in appearance but sweet in effect. He is not contented in that solely, himself doth not commit violence, but he sees that no injustice is committed." Persons are apt to make a boastful contrast between British rule and the system of anarchy that preceded it. Let them rather compare the noble administration of Akbar with that even of a Cornwallis or a Hastings.

Upon the whole it appears, that under the reign of Akbar there was greater liberty indulged in petitioning, in education, and in writing, than was enjoyed at that period in England.

* *Institutes of Timur.*

SECTION III.

Establishment of a Censorship on the Press, in British India.

“They rather desire to be Kings than to rule the people under the King, which will not administer justice by law, but by their own will.”—*Bacon.*

“If every one of the twenty-two articles of charge brought against Warren Hastings had been proved, they would not have formed a crime of such enormous magnitude as that single one of having extinguished the Liberty of the Press in a portion of the British Empire containing fifty millions of inhabitants.”

PREVIOUS to the establishment of a Censor of the Press by Lord Wellesley, the people of India had the same liberty to write as to breathe or to live. No law forbade it. Under Warren Hastings, Lord Cornwallis, and Sir John Shore, the Press was free even to licentiousness. They did not indulge an unreasonable expectation, from any human institution, of permanent good, unalloyed by temporary evil. Satisfied with the essential advantages that accrued to mankind from free discussion, they had too much sense to restrain it on account of personal attacks, or occasional severe and even intemperate sarcasms on their government. Thus a Free Press existed under the wisest of our statesmen, even in times of great difficulty and awful danger.

The arrival of Lord Wellesley in India was soon followed by the establishment of a Censorship,—a fatal

revolution by which reason herself was stifled : " For he who kills a man, kills a reasonable creature, God's image ; but he who destroys a good book, kills reason itself."* Thus knowledge of every description was communicated or withheld, according to the arbitrary discretion of a mercenary and perhaps ignorant licenser. The property of authors he could destroy, and extend the evils of *monopoly*, assigning no reason but the conclusive argument of power, " for such is our pleasure !" The extortions and oppressions of the government were now concealed, and the groans of the natives were suppressed, till dangerous rebellions were the consequence ; while England, for more than twenty years, was deprived of all information of India, except such as she obtained from the servants of her government.

The immediate cause which led to this catastrophe was the illegal imprisonment of a Mr. Allan Maclean, under the following circumstances : Mr. D'Aguilar and Mr. A. Maclean were partners in an indigo work, near Gauzepore. These gentlemen quarrelled about their concerns, and a fray took place, in which Mr. Maclean struck Mr. D'Aguilar on the nose. Mr. M. then offered *satisfaction*, but Mr. D. rode off to a magistrate, and swore the peace against him. The magistrate, though no justice of the peace, and without even hearing what Mr. M. had to say, and refusing to admit him to bail, committed him to prison. The magistrate then wrote to the appeal judges at Benares, who had no right to interfere, for instructions how to act. Mr. Treves, one of these judges, signed a letter, ordering the magistrate to send Mr. M.

* *Milton.*

in confinement, to Calcutta. Mr. Neave, another of the appeal judges, was absent, and disapproved the measure. The magistrate then sent Mr. M. down the river in a baggage boat, without any proper covering, and under the guard of a sergeant, corporal, and twelve sepoys. In this boat, exposed to the burning sun by day, and to unhealthy dews by night, the prisoner remained for upwards of a month. Meanwhile Mr. M. having communicated the circumstances to his namesake, Dr. Maclean, of Calcutta, and a paragraph announcing the death of Mr. M. having appeared in the India Gazette, the Doctor wrote to the Editor, as follows : " Sir, I request you will contradict the account which, through some very gross misinformation, was inserted in the last India Gazette and Hircarrah, announcing the death of Mr. A. Maclean, said to be shot in a duel at Benares. I this day received a letter from that gentleman, mentioning indeed some circumstances which, if his antagonist had not possessed an uncommon degree of prudence, might have led to that catastrophe; but I am happy to add that the only disagreeable effects of the rencontre have arisen from the interference of the magistrate of Gauzepore, whose conduct upon this occasion I will take a due opportunity of appreciating. I am, &c., C. MACLEAN. Calcutta, April 28th, 1798."

This letter produced the release of Mr. M. at Monghyr, and the banishment of Dr. Maclean, and the first establishment of a Censorship in Asia.' This letter, too, it must be noticed, for it would require the piercing sagacity of the Grand Inquisitor and his Familiars in pious conclave to make the discovery, was stamped a libel. As well might those sages call the Bible so.

“ For royalties are deem'd most sacred things,
 So sacred by the courtiers, that the Bible
 May be informed against, and proved a libel,
 For saying, ‘ Put no confidence in kings.’ ”*

After the publication of this libel, Dr. M. was called upon by the Government to make an apology ; he in a mild but becoming tone refused to do so, and was sent home a prisoner. By this manly conduct, Dr. M. sacrificed an income of £700 per annum, and about £2000, which he had expended on a printing apparatus. In this outcast and ruined state, the Doctor solicited a passage for himself and his wife, upon which the Governor-General ordered them to be provided for as charter-party passengers ; that is, this gentleman and lady were to be accommodated with the *pariahs** of the East, and the scum of English jails, and to be fed on ship provision till they reached England. The comment on this procedure may be summed up in one sentence : “ First he punisheth, and then he trieth, and, lastly, compelleth to confess, and makes and mars laws at his pleasure. But good judges abhor these courses.”† On Lord Wellesley’s return to England, Dr. Maclean published his case, and no man, throughout, ever behaved with greater prudence and firmness.

Dr. Maclean has since become well known to the public, by his researches in Turkey respecting the causes and treatment of the plague, and in Spain concerning the yellow fever ; with a view to promote the abolition of quarantine, or sanitary establishments.

* *Peter Pindar.*

† *Coke’s Institutes.*

† A low and despised Caste.

SECTION IV.

Military Disturbances at Madras.

“ These men, seeing the liberty which others possess, and which they themselves are excluded from, are apt, like eunuchs in the Eastern seraglios, to indulge a malignant pleasure in contributing to destroy those privileges to which they never can be admitted.”—*Montesquieu.*

PREVIOUS to the establishment of a Board of Controul, the ministers had no interest in concealing maladministration in British India. The Press was then free, and the Parliament resounded with complaints. On the contrary, during Lord Wellesley’s brilliant administration, all was quiet. Yet in these unnatural restraints upon the developement of the human mind, was contained the source of future misrule. The Government, in fact, was left without a check. The Censor, like the great Inquisitor, blasphemously assuming omniscience, exercised arbitrary power over the minds of men, and stifled their thoughts, which God, in his all-wise benevolence, had given them for their mutual aid and benefit.

An endless list, indeed, of dangers and oppressions would have been averted by the Press. Among the rest, free discussion might have prevented the military disturbances that took place under the Censorship at Madras. The armies of India have never been so tranquil as during the wise administration of the Marquis of Hastings, though the newspapers were full of discussion on military matters. The soldiers of France, Spain, Portugal, and Italy, promoted revolutions in these countries.

Instead of being abandoned to such desperate remedies, had those countries been in possession of a Free Press, its timely operation would have gradually checked and put down abuses, and produced a favourable reform without those awful convulsions.

The army of England is free from any bad spirit, because its grievances are animadverted upon by the Press. Any undue severity in punishing, or abuse of patronage, is made known. The public complain, and the evil is, soon or late, redressed. The same publicity in India has of late produced the same result. The armies of India are admirably disciplined. There are, however, some radical defects in their system. The partiality shewn to the army of a particular Presidency, the inequality of allowances, the slowness of promotion of the Company's officers, compared with their brother soldiers in the King's service, and the delays of office at Madras, and in the payment of prize money, are grievances that should be exposed and redressed. Like the King's army, the Company's would then have no wrongs to excite them into acts of violence.



SECTION V.

Abolition of the Censorship.

"Lord Moira's head and heart are both too good to be suffered to rule this country."—*Horne Tooke*.

"When the monarchs of Egypt raised such stupendous masses, for no other use but to record their names, they little suspected that a weed growing by the Nile would one day be converted into more durable registers of fame than quarries of marble and granite."—*Lord Orford*.

THE Marquis of Hastings abolished the Censorship in British India. This perhaps was the noblest, because it was the most extensively useful act recorded on British annals. A death-blow it was to superstition, with her swarm of gods, and to despotism, the growth of thirty centuries. It was the birth of hope to about one-twelfth portion of the human race, and to their offspring from generation to generation. A durable monument it was, which will excite the genius and improvement of every age, and remain in Asia a proud record of the strength and virtue of Britain.

The Press at Madras still continued under the controul of a Censor. The inhabitants of that Presidency requested permission of their Government to hold a meeting for the purpose of addressing the Marquis of Hastings on the measures of his administration. The leading authorities at Madras having opposed the late war, and disapproving of the diffusion of Education and the establishment of a Free Press, delayed for several months to honour the petitioners with a satisfactory answer. At last, after repeated solicitations, the Government was pleased to consent,

and the meeting was held "at the Exchange, on Wednesday, May 26, 1819." The following is an extract of the proceedings, the publication of which was prohibited at Madras.

"Mr. SCOTT, Chief Judge of the Company's Court, having taken the Chair, addressed the Meeting in a short speech, explanatory of the purposes for which they were convened, after which Sir Samuel Toller (the Advocate-General*) thus introduced the business of the Meeting :

"Mr. Chairman,—I rise with great satisfaction to make a motion which, I am persuaded, will meet with the unanimous concurrence of this assembly, and experience the general approbation of the whole settlement.

"SIR,—The motion I beg leave to make, is, that an Address be prepared and presented by this Presidency to the Most Noble the Marquis of Hastings, to congratulate his Lordship on the success of his measures as Governor-General of British India."

"Col. STANHOPE. Mr. Chairman,—In the absence of Mr. Staveley, who was to have followed the Advocate-General in this discussion, I second the motion for an Address. I exceedingly regret that the learned gentleman is not here to do justice with his chaste and strong eloquence to the Marquis of Hastings' measures, more especially as I feel myself unequal to that task.

"I hold, Sir, in my hand an Address which was given to me yesterday morning by a gentleman who requested I would lay it before a Committee of this Meeting. I now beg to hand it over to the Chairman, who will deliver it to the Foreman of the Committee, when one shall have been appointed. Gentlemen, in justice to myself, I

* A law-officer similar to our Attorney-General.

beg to state, that I recommended the author to entrust this Address to the care of some one who had weight and influence with the Settlement, and who possessed the talent necessary to secure its success. I regret that he has not followed my advice. The paper, I venture to affirm, has merit. It is free from all vulgar compliment or base flattery, and it contains a concise and faithful sketch of the prominent features of the Marquis of Hastings' civil and military administration. I shall comment on the subject matter of this Address presently, but must first convey to this assembly a remark which has just been made to me. I have been told that some present are hostile to the late war. I rejoice to hear it. God forbid that any war should be undertaken without opposition, especially under a Government where every man finds his personal interest in war;—we soldiers in the extension of our establishments, you of the civil service in the extension of yours. Be there, then, any here who, careless of their fortunes, can oppose the policy of the war on conscientious principles, they deserve our anxious attention. Let them come forward, try their strength, and we'll try ours. Should they prove the war unjust, they shall have my zealous support; if not, I solicit theirs.

“ It was my intention to have entered cursorily on the policy of the late war, but this subject has been handled in so masterly a manner by Sir S. Toller, that I do not now consider it necessary to dilate on it. Had I done so, I should have endeavoured to have proved that the dangers of extended rule, of being lost in expansion or rather in corruption, evils dreadful to contemplate, had been diminished by the war. This contest had enabled us to consolidate our power, to strengthen the heart of our empire, and to shorten by straightening our line of

frontier. It had made us sound at home, and had given us power to repel invasion. In the place of robbery, extortion, and oppression, order had been established—order, the source of justice, freedom, and all that is great in government. In a word, it had enabled us to shake off a vicious, and to assume an honest controul. Now *good* government, however extended, constitutes strength—not danger, not decline; whereas bad government, however indirectly and slyly exercised, leads on to ruin, perhaps to the parent, perhaps to the dependent state, possibly to the injury of both. By ruin, I mean not loss of wealth and dominion, but loss of moral character and British pre-eminence. Hence I conclude, that the greater the extent of an empire, the more scrupulously should it be governed. I have thrown out this hint by the way, and shall now proceed to the discussion of a subject of paramount importance, and which has not been touched upon: I allude to the suppression of the Censorship of the Press at Calcutta. This generous act of power should, I think, be referred to in your Address. *The establishment of a Free Press in Asia*, is, in my estimation, the most magnanimous act of the Marquis of Hastings' administration, and is that which will come most home to the bosoms of high-minded men.

“ Gentlemen, you well know what large powers are vested in a Governor-General, and how few men there are who have strength of soul to controul their passions under so vast and tempting a liberty. We are told, indeed, that prosperity is the great corruptor of the human heart, and history confirms the apophthegm. Her instructive page, however,—nay, even our own times,—furnish us with some few exceptions to this degrading rule. He surely is a noble exception to it who, returned from tri-

umph in the pride and zenith of power, does away with the Censorship of the Press, and makes that Press a Censor on his own Government.

“ Permit me now to say a few words on the nature of a Free Press. If, as we are told, the understanding be the noblest faculty of the soul, it is wise, it is our duty to cultivate and improve it. This can only be done by consulting our own and other men’s thoughts. Now, since these thoughts are chiefly communicated by means of language or writing, the usefulest privilege of man is to speak and to write freely. The right of speech is a great law of nature, which is the law of nations when applied to states, and no human law should contradict it. Like speech, the Press too is but another means of giving currency to our thoughts, and, like it, analogously reasoning, is the common right of all. ‘ God gives us reason and freedom to choose; why then should human governments effect a rigour contrary to his divine ordinances?’

“ The great objection made to the liberty of the Press is its *licentiousness*, or the facility afforded of abusing it. The same objection may be made to speech or to religion, to free-will, to locomotion, or to any other of our liberties. But offences and crimes are subject to the scrutiny of judges and to public opinion, which is the common law of society, and every breach of duty is followed by a suitable punishment. There are who contend that government is brought into *disrepute* by a Free Press. Ay, *bad* government is, because truth pierces it to the heart; but a mild and just government fears not even slander. It courts truth; for truth is strong, and generally prevails over falsehood in a free encounter. Nay, I hold that opinions, though erroneous, when well canvassed and digested, tend to the ultimate advancement of truth.

Montesquieu drives the argument further: 'In a free nation,' says he, 'it is very often a matter of indifference whether individuals reason well or ill; it is sufficient that they do reason: from hence springs that liberty which is a security from the effects of these reasonings.'

"Look to countries where the liberty of the Press does not prevail. Pronounce whether they are honester and wiser than our own. Look to France, and judge whether Buonaparte could have enslaved her under a Free Press, or whether he could have re-established himself on his bad eminence, if a Free Press had enlightened and chastened the public mind; or whether again Europe could have overthrown his power, if a Free Press had not kept England sound. The slavery of the Press under the tyrant was excessive. The tyrant placed all literary decisions in the hands of Government. The tyrant's police disposed of the success of a writer in the same way as it granted licences for gambling. Take the case of Neckar as an instance. Every periodical paper in France teemed with official libels on his character, and no friend of truth was allowed to contradict these falsehoods. Thus Neckar sunk into the grave basely slandered; Neckar, who had served the state without emolument, and had devoted his property to support her finances during its rude fortunes; Neckar, who had done what tyrants could not do—the influence of whose personal character upon public credit, though a foreigner, had raised the French funds 30 per cent. *in one day*; and who, in the words of his great daughter, 'was a firmer friend to liberty than Pitt, more austere than Fox, and not less energetic, nor less eloquent, nor less penetrated with the dignity of the state, than Lord Chatham!!' And yet this Buonaparte was neither in virtue nor vice distinguished above some ty-

rants. Gentlemen, I see dissent lowering upon your brows; but surely Cæsar far excelled him in virtue, and Nero, or his contemporary Robespierre, in wickedness. Hence we may infer, that the only fair encomium that can be passed on the best of tyrants is, that he is not the most odious of monsters. To give clearness to my words, I define a tyrant to be a monster; and a monster is an animal between a man and a brute, partaking of the evil qualities of both. It matters not whether this bad power be exercised by the one or the many; whether by the Thirty Tyrants, as at Athens, or by the Decemviri, as at Rome—by a Buonaparte in France, or by a Ferdinand in Spain.

“ A Free Press is said to be a *general calumniator*. No character then, however pure, exalted, or sacred, can escape its *slanders*. This is a heavy charge. A public calumniator!—is it not rather a public *vindicator*? What manly character is there that would not rather face an open attack than have his conduct tainted by insidious whispers? Or who is so low-minded, and of so dastardly a spirit, that would not prefer even the certainty of being calumniated, to the bare chance of injuring his country’s liberties?—a country distinguished and exalted above the famous commonwealths of antiquity by a Free Press, and which owed her knowledge and her power, her freedom, civil and religious, mainly to that all-powerful engine.

“ Permit me now to call your thoughts to another noble subject. You will contemplate, Gentlemen, with a pride becoming enlightened and liberal men, the recent establishment of Colleges and Schools for the natives, all over the Bengal Presidency—a *work* worthy that virtuous Nobleman whose wise ambition is ever referred to the benefit of man. Well knowing that ‘ the dignity of the

commandment,' as Bacon has it, 'is according to the dignity of the commanded; to have commandment over beasts, as herdsmen have, is a thing contemptible; to have commandment over galley-slaves is a disparagement rather than an honour; neither is the commandment of tyrants much better over people which have put off the generosity of their minds.'

"The advantages resulting from good education are so evident, that even an unlettered man may be allowed to speak of them. The Schools teach that the understanding and the will set man above other *sensible* beings. If so, it is our duty to rouse those faculties, to strive by industry and zeal to attain that wisdom which enables us to think justly and to act rightly—the very end and intention of our existence. To improve this natural faculty of reason, we must have recourse to education; for reason, which, when uncultivated, just distinguishes man from the brute animals, or which, degraded and perverted, sinks him below them—in its improved and perfect state, raises him almost to an affinity with the Divine nature. Such was Newton. Still, great as he was—the wisest of mankind—we learn from high authority, that many a savage may have been born with as high faculties as this same Newton, but their talents, not having been cultivated, lie buried in darkness. Without education, good morals, so requisite to the happiness of a people, and 'virtue, which is nothing but more enlarged and cultivated reason,' cannot be attained. Without it, neither wise laws, nor the refined precepts of philosophy, nor the rigid injunctions of religion, can avail. Without the cement of education, the beautiful edifice of justice, resting upon a weak and hollow foundation, falls to the ground: nor can philosophy be justly appreciated by the ignorant,

or advantageously applied to the great body of a people, the nobler parts of whose character are wholly obliterated. Such a people are said, for instance, to be unfit even for the enjoyment of civil liberty. ‘The great aim,’ says Dugald Stewart, ‘of an enlightened and benevolent philosophy, is to diffuse as widely as possible that degree of cultivation which may enable the bulk of a people to possess all that intellectual and moral improvement of which their nature is susceptible;’ and for religion, the more a people is instructed, the less liable are they to the delusion of superstition. Without instruction, indeed, I am at a loss to conceive how they can acquire a rational knowledge of the tenets of their belief.

“To conclude, it cannot, I think, be denied, that whatever improves our natural faculty of reason, and enables us to judge between truth and error, between good and evil, must be advantageous to society; consequently, that education cannot be too much attended to, or too widely diffused. Let us hope, then, that these institutions established by Lord Hastings may succeed; while we fondly anticipate that the example may be followed in every village of British India, that light may be shed on her people, and honour reflected on their Government.

“Though my words have borne with all their weight on the Marquis of Hastings’ conduct, I have purposely avoided much personal allusion to him. Of that Noble Lord, indeed, little need be said. Nature had been kind to him; she had given him an iron frame, a sensitive heart, and a powerful understanding. He, in return, has devoted his life to her offspring, and his happiness and his dignity seem to emanate from that pure source.

“Gentlemen, I have discussed these subjects with warmth and freedom, agreeable to the temper of my

mind. I trust I have not exceeded the bounds of discretion. Some may say that such thoughts are not suited to the meridian of India. I bow to reason, not to assertion; but, since the question concerns my conduct, and the public interests, I will not rest its merits upon my own feeble argument. I will answer the objection in the words of a scholar, a patriot, and a philosopher; of one whose experience and wisdom you will not doubt. 'We shall concur in opinion,' says Sir W. Jones, in one of his anniversary discourses, 'that the race of man, to advance whose manly happiness is our duty, and will of course be our endeavour, cannot long be happy without virtue, nor actively virtuous without freedom, nor securely free without rational knowledge.' This quotation bears, I think, upon my discourse, and supports my conclusions. Gentlemen, we are now all jaded, so I will stop my tiresome tongue."

"Mr. STAVELEY. Sir,—I was not fortunate enough to hear the speech of my learned friend. To all that has fallen from my honourable friend who has just sat down, I give my full assent, and add my voice to his in commendation of that freedom, than which, in my opinion, a greater blessing cannot be bestowed upon our Eastern empire; and, Sir, I know no law, no reason, no policy, why it should not be enjoyed to its fullest extent.

"I say, Sir, I know no law. There is none upon your Statute Book, which restrains the liberty of the Indian Press. I speak in the hearing of those who will correct me if I am wrong. I know no regulation;—and they are present who can set me right if I am in error. There is no reason in such restraint, my honourable friend who has preceded me has shewn you fully; there is no policy in it, I will prove to you before I finish.

“ Of what nature is your Empire here, and how is it maintained? Ask our Legislators of both Houses, who have made you laws to govern it: ask your Directors: ask the public meetings of your Proprietors: ask your Statesmen, who have written and poured forth their eloquence in its praise—and one and all in the same words will answer you, ‘ *Our Empire in the East is an Empire of opinion; it is not, and never can be, an Empire of force.*’ An Empire of opinion, and that opinion not free!—a kingdom erected upon thought, and men not free to think! It is an absurdity in language as well as fact, which needs but to be stated to carry its own refutation with it. If, indeed, you will admit that your reign is a reign of force, that your dominion is a domination by compulsion, I can have no hesitation to admit you some excuse for the enslavement of the mind and the restriction of thought; but if, as you desire, you would maintain your rule upon the proofs of your superior genius, and your excellence above all other nations, and over all, above those you govern—if you desire to reign within the hearts of your subjects, and govern by their affections—you must free their thought from restriction, and the expression of it from restraint; for what improves the intellect but the collision of mind with mind? And what reconciles the mind to its rulers but the proofs that its rulers are occupied for its good? And how shall this be known if the great avenues of knowledge are closed up? And who are the people over whom you rule? Ages before *our* days of greatness they were rich in historians, philosophers, and poets. Coeval with the days of a scarcely more refined antiquity in Europe, Hindoos had advanced as far as Europeans, in the march of intellect and culture of mind. It is true that their refinements,

their strange, abstract speculations, their redundant mythology, obscured their sounder and more profitable learning; but still they were a people as far, if not farther, advanced in science and the arts of peace, than they were in those of war.

“ In those days, there was no restraint upon their inquiries; all was open before them for research and disquisition, and they had no limit but that of the powers of their own mind. Their Mahometan conquerors came, and with them persecution for religion; but, except on the subject of religion, all other subjects remained open as before. The rights of the Mooselman sovereigns, their duties, their privileges, and their power over their people, are discussed as freely and as fairly in the books of their learned men, as the rights of ours are in our ancient commentaries upon our laws.

“ Look through the Institutes of Timur and Akbar, and is there one trace in them, one vestige of restraint? Their pages teem with encouragement to learning, with incitements to their subjects to enlarge their minds and amplify their knowledge; while from their histories we learn, that, while every act and speech of the monarch and his princes were recorded to form a history of his reign, his foibles, his follies, and his weaknesses, were open to the satire of the poet, and the wit of the household fool. Their Colleges were crowded with men who found advantage in the devotion of themselves to learning; and in their Schools there seems to have been no restraint which does not at this hour exist in full force in our own land.

“ I scruple not, therefore, to affirm, that the regions over which we rule, down to the arrival of the Europeans in the East, enjoyed a freedom as extensive as any part

of Europe before the invention of the Press; for on written books, the only means of circulating knowledge without type, there was no restriction.

“The art of Printing has been eulogized as the greatest blessing which has ever been bestowed upon mankind, and we have been the introducers of this blessing to the East. But, Sir, while you confer a blessing on your people, is it wisdom to clog that blessing with a curse? A free and unfettered Press is indeed a blessing to mankind, but a fettered Press in the hands of a despotic monarch, as my honourable friend has told us truly, may become one of the greatest scourges with which the hand of power can be armed, one of the most dreadful engines of torture with which it can rack the mind.

“And what are the arguments which they would oppose to persuade us that it is unwise, ‘that our power would be endangered’? Sir, that argument was used against throwing open our trade; but hath that measure at all weakened us? Endangered!—and by whom? But is nothing else still more endangered by restriction? Regicide France has tried, and in her Emperor we may read the fate of such controul. He restrained the Press and interdicted it from all political discussion; he suppressed all truth, and bid it lie and flatter. Daily, at his bidding, it vomited forth his slanders and falsehoods measureless—and at what price did he buy the privilege to do all this? The morals of his people formed no portion of his care; religion formed no part of his scheme of government. He knew that the Press, dammed up, must burst out somewhere; so he abandoned morality to profligates, and religion to the care of Atheism.

“And are we prepared to purchase restriction at such a price? It is not so that I have been taught at home.

The morality of our fathers was as carefully fenced round as their freedom, and their religion was dearer to them than both: and it is our serious business here, in a foreign land, to maintain our country's character for the one, and exhibit the purity of the other, exceeding that of any other people of the earth.

“‘ And to whom would you throw open your Press?’ To the public. ‘ Pooh! there is no public.’ Is there no public? Who are you that hear me? Whose are the ears that listen thus? Whose are the eyes that are lighted up with pleasure? Whose are the hearts that beat in unison with mine? Is there no public? Who hath won your empire? Who hath raised your glory? Who hath established your dominion? Who hath eternalized your name? Sons of free men—descended from free forefathers—born in a free land—members of that free public by whose voice our masters are, and will, and must be judged—from whom they have received their charters—for whose good they exist—upon whose breath they live—co-proprietors with them of all they are and have. And how, and when, and where, and wherefore, have we forfeited that freedom and those rights? It cannot be our coming forth to serve our country in a foreign land hath robbed us of those rights, and filched in secret that for which we prided us above all people of the earth. Oh, Sir! our country is not thus ungrateful nor inhuman to her sons. Is there no public? Who hath administered your laws? Who hath dealt justice forth among so many millions? Who hath collected your revenue? Who hath carried on your commerce? Who hath consolidated your power, and put it almost beyond the reach of time and accident? Who but the brothers of those men whose arm hath won it? Who but the sons of the same forefathers? Who but the

members of the same British public? And can their filling these high offices—can their advancement to these high dignities—deprive their minds of energy and their spirits of integrity?—

“ Is there no public? Who, when faction ran her tilt at him, and eloquence and genius, day after day, poured forth upon him the deluge of their indignation at his supposed misrule — when the Father of Indian statesmen (*Warren Hastings*) stood before his country for acquittal or condemnation—what cheered his mind amid his trials, and enabled him to bear their taunts and insults? What but the consciousness that he had done his duty? What but the consoling voice of that *Indian* public whose existence has been denied? Sir, there is a public that hath judged and will judge; that hath condemned and will condemn; that hath honoured and will honour; that hath been feared and will be feared; and none but he who fears it will shrink from its investigation. Yes, Sir, there is a public; and he who first coined the phrase, *there is no public*, all traitorous as it is, knew it and felt it to his inmost core, and mourned the truth of that which he had dared deny.—

“ The work of conquest is finished, but the task of government is scarcely yet begun. To reconcile the provinces we have acquired to their new rulers, is a delicate, and, in some measure, a difficult task: but what may not be augured from him who, returning from conquest, came to set opinion free? And now, I might add again—ask of the noble Marquis—to whom did he make the *exposé* of his plans, and detail the motives of his enterprise? To whom did he commit the custody of his fame and the guard of his reputation? To whom did he appeal for approval of his measures and justification of his means? To whose investigations did he commit the fact which

he unfolded? To whom, but to those who were near at hand, and had seen them; to those who were present, and could judge of them; to those who best could make report to their country of all they had seen and known, and heard concerning it. And, if there be no public, to whom and for what did he do this?—

“ We all remember with pride, and a feeling of reverence comes across our minds when we repeat, the names of Clive, of Hastings, of Cornwallis, of Wellesley. To this list the name of Moira will be added, nor will his be less esteemed or less revered than theirs. The proudest feature of Lord Wellesley’s administration was the establishment of the College, to prepare our youths to fill the expectation of an intellectual and thinking people;—the proudest feature of Lord Moira’s will have been, that he gave effect to the establishment of his predecessors, by loosing the Press of India from tutelage and guardianship, by casting off her leading-strings, and declaring her of age and fit to go alone.”

“ Throughout the whole of this speech, Mr. Staveley was greeted with the most enthusiastic applause. His words seemed to electrify his audience.

“ On the names of the gentlemen proposed for the Committee being read, Colonel Stanhope objected to his name being included, as he considered himself as part of the Marquis of Hastings’ household, and he thought the Committee ought to be composed of men perfectly independent, and that those gentlemen only should be named who were unconnected with Government. This objection, however, was unanimously overruled by the Meeting, and it was resolved that Colonel Stanhope’s name should remain.

“ The Committee then retired to an adjoining room with the draft of the Address, handed to the Chairman

by Colonel Stanhope. On the return of the Committee, the Address was read to the Meeting by Mr. Staveley, who moved that it be adopted. This motion was carried *unanimously.*"

"To His Excellency, the Most Noble Francis, Marquis of Hastings, K. G. Governor-General of British India, &c.

"**MY LORD,**

"WE, the European Inhabitants of Madras, deeply impressed with a sense of the benefits conferred on the British Empire in India, by the wisdom of your Lordship's Councils, beg leave respectfully to offer these our cordial congratulations on the eminent success which has distinguished the measures of your Lordship's administration.

"Though remote from the immediate scene of your Lordship's splendid achievements, we have, nevertheless, viewed with profound interest the bold and honourable policy by which they have been guided: and, when we contemplate the situation of British India, at the period your Lordship first assumed the reins of government, we cannot forbear expressing our admiration of the wisdom and energy which have conducted public affairs to their present unparalleled state of prosperity.—Your Lordship found our territory invaded on one hand by a brave and hardy race of mountaineers—on the other, menaced by a lawless host of rapacious freebooters—while to the Native independent Princes evinced a disposition take advantage of existing circumstances, and attempt measures hostile to our power.

"The repeated aggressions of the Government of Népaul proceeded to an extent, that demanded the prompt application of the military resources of the state.—To chastise an active and daring foe, intrenched in the fast-

nesses of a mountainous country, nearly impervious to the usual mode of warfare, was an arduous and doubtful enterprise. The contest was novel and interesting, and our troops encountered an enemy worthy of their prowess; but all obstacles vanished before your Lordship's well-concerted plans, and the struggle terminated in a treaty, glorious to the British arms.

" The measures adopted by your Lordship, to repel the destructive incursions of those predatory hordes, who for so many years desolated a considerable portion of our possessions, proclaim the same talent and energy by which the war in Nepaul was conducted.—The faithless policy pursued by some of our Allies paved the way for great and beneficial changes. The late Marattah war ensued, and the perfidious conduct of the Native Princes met with merited punishment. It was a war of peculiar character, carried on against myriads of lawless and mercenary troops, whose wild discipline, and wide-spreading desolation, in vain attempted to evade the influence of scientific movements. It became in a moment a war with states—but the heroes of Mahidpoor and Corygaum, Seetabuldy and Kirkee, gallantly asserted the British honour, and reaped unfading laurels. In the sieges of Hatrass and Asseerghur, conducted according to the strict rules of the art, success was secured by wise precautionary measures.—Thus, the strength of the enemy, which lay in their mountains, their swarms of freebooters, and their fortresses, opposed no permanent resistance to the efforts of disciplined valour.

" The state of licentious misrule, which produced those migratory Banditti, no longer exists. Order is established, and vigour infused into every department of the state. The Husbandman has joyfully resumed his labour, the great source of wealth and power—confi-

dence revives, and trade flourishes with renewed activity. The Peasant reaps the fruit of his useful toil, beneath the broad *Ægis* of British power, and blesses the arm which sustains that shield, under whose protection reposes the destiny of so many nations. 12.2.66.

“ The most accomplished statesmen, while they provide for the defence and security of the realm, neglect not to cherish the arts of peace. To cultivate the province of the human mind—to call forth its latent powers, and direct its energies to the improvement of society—to give a character and colour to the morals, intelligence, and spirit of the age, has justly been considered essential to the welfare of the political system. On Agriculture, on Arts, and Commerce, liberal knowledge exerts a powerful and permanent influence: it adds to the resources of a people while it increases their happiness, and is intimately connected with the vital interests of mankind. Your Lordship’s attention to this important branch of legislature has not escaped our notice; and the numerous Institutions formed for the instruction of the native population, are illustrious monuments of British generosity, consecrated by the wisdom of your Lordship to the prosperity of the Empire.

“ While contemplating this important subject, it must have occurred, that to the attainment of truth, freedom of inquiry was essentially necessary; that public opinion was the strongest support of just government; and, that liberty of discussion served but to strengthen the hands of the executive. Such freedom of discussion was the gift of a liberal and enlightened mind; an invaluable and unequivocal expression of those sentiments, evinced by the whole tenor of your Lordship’s administration.

“ Such are a few of the most prominent features of a Government, whose character and conduct form a brilliant

era in the History of our Country. At this particular period, we are enabled to view the subject with peculiar advantage. We see clearly developed, the springs of that able and intricate policy ; by which effects have been produced which must excite the admiration of posterity. We see the grand object of those operations which embraced so wide a field of action ; and can duly appreciate the merit of those masterly combinations, by which such glorious success has been commanded : we now contemplate in tranquillity that extensive coalition, directed by a crafty and deceitful policy, which has disappeared before our banners.—The reign of peace is restored—security and justice established, and a gradual system of improvement introduced into every department, conducive to the happiness of society. In a word, when we look back to the period under review, we cannot fail to acknowledge, that those stupendous projects, which led to such splendid and happy results, were conceived by a powerful and intrepid genius, carried into effect with consummate judgment, and concluded with unprecedented success.

“ We intreat your Lordship to accept of this imperfect expression of our sentiments, and of the assurance of our profound respect.—That your Lordship may long continue to guide those Councils, whose measures embellish the proud annals of our Country's Glory, is the earnest prayer of,

“ **MY LORD, &c. &c. &c.**”

The Censor at Madras refused to allow the proceedings to appear, and every effort was made to prevent the Address from being signed. It was, however, signed by the Chief Justice, the Judges of the Supreme Court, and the

Law Officers; by the Chief Judge of the Sudder Adawlut, the Residents of Hydrabad and Nagpore, and the Company's principal Staff Officers; by Major Lambton the great Surveyor; by Colonel Morrison, a distinguished Commissary-General, who had saved the State a million of money; by Mr. Goldingham the Astronomer; by Mr. Harrington, Colonel Graham, Mr. Parry, and about five hundred of the most enlightened gentlemen of the Presidency. It was predicted that the Address would not be received. Censors are not infallible beyond their own sphere. The Address was conveyed to Calcutta by Major Blaker, who was received in state and in public by the Governor-General. After this Officer had read the Address, the Marquis of Hastings answered it in the following words—words that are engraved on the hearts of millions :

“ You have observed my exertions to diffuse instruction through the extensive region with which we had become thus suddenly intimate. I cannot take credit for more than the having followed the impulse communicated by every British voice around me. Yes! we all similarly confessed the sacred obligation towards a bounteous Providence, of striving to impart to the immense population under our protection, that improvement of intellect, which we felt to be our own most valuable and dignified possession.

“ Our topic remains—My removal of Restrictions from the Press, has been mentioned in laudatory language. I might easily have adopted that procedure without any length of cautious consideration, from my habit of regarding the Freedom of Publication as a Natural Right of my Fellow Subjects, to be narrowed only by special and urgent cause assigned. The seeing no direct neces-

sity for those invidious shackles, might have sufficed to make me break them. I know myself, however, to have been guided in the step by a positive and well-weighed policy. If our motives of action are worthy, it must be wise to render them intelligible throughout an Empire, our hold on which is opinion.

“ Further, It is salutary for Supreme Authority, even when its intentions are most pure, to look to the controul of Public Scrutiny. While conscious of rectitude, that authority can lose nothing of its strength by its exposure to general comment. On the contrary, it acquires incalculable addition of force.

“ That Government which has nothing to disguise, wields the most powerful instrument that can appertain to Sovereign rule. It carries with it the united reliance and effort of the whole mass of the governed: and let the triumph of our beloved country in its awful contest with Tyrant-ridden France, speak the value of a spirit to be found only in men accustomed to indulge and express their honest sentiments.”

For some time after the Madras meeting which eulogized the Marquis of Hastings for his abolition of the base Censorship, Mr. Strachey being of too liberal sentiments for the vile office of Licenser, returned the Newspapers, without signing or examining them, to the Editors. He thus followed the noble example of Gilbert Mabbott, who in 1649, probably convinced by Milton's *Areopagitica*, offered the annexed reasons for resigning that Office:

“ Because that employment is unjust and illegall as to the ends of its first institution, viz. to stop the Presse from publishing any thing that might discover the corruption of Church and State, in the time of Popery, Episcopacy,

and Tyranny, the better to keep the people in ignorance, and carry on their popish factions and tyrannical designs, for the enslaving and destruction both of the bodies and souls of all the free people of this nation,

“ Because Licensing is as great a monopoly as ever was in this nation, in that all men’s judgments, reasons, &c. are to be bound up in the Licenser’s; for if the authors of any sheete, booke, or treatise, wrote not to please the fancy, and come within the compasse of the Licenser’s judgment, then he is not to receive any stamp of authority for the publishing thereof,

“ Because it is lawfull to print any booke, sheete, &c. without licensing, so as the authors and printers do subscribe their true names thereunto, that so they may be liable to answer the contents thereof: and if they offend therein, then to be punished by such lawes, as are or shall be for those cases provided.”

“ A Committee of the Councell of State being satisfied with these and other reasons of Mr. Mabbot concerning licensing, the Councell of State reports to the House; upon which the House ordered the day that the said Mr. Mabbot should be discharged of licensing books for the future.”*

* See Birch’s *Milton*, p. xxx. Whitelocke says, “ Upon Mr. Mabbot’s desire and reasons against licensing of books to be printed, he was discharged of that employment.” *Mem.* An. 1649.



SECTION VI.

State of the Press in Bengal, Bombay, and Madras.

"By the liberty of the Press I mean the liberty of discussing public men and measures, not the liberty of calumniating and affronting private character."

THE Calcutta Press is still under severe laws or restrictions. Nevertheless it has indulged in a latitude of discussion, unknown to any state except England, America, and Switzerland. On military matters it has exercised great freedom, and on religious subjects it has spoken out with a boldness that would not be tolerated in any of these countries. Proofs of this assertion are contained in Bengalee and English newspapers; in the works of the Missionaries, of Rammohun Roy, of the late Bruja Mohuna, and in the Brahminical Magazine, &c. From the last of these the following extracts may be *safely* quoted.

The editor of that work, speaking of the number of books published, says, "During only a few years past hundreds of works on different subjects, such as Theology, Law, Logic, Grammar, and Astronomy, have been written by the natives of Bengal alone. I do not wonder that they have not reached the knowledge of the Editor, (of the *Sumarchan Durpun*,) who in common with almost all his colleagues, has shut his eyes against any thing that might do the smallest credit to the natives."

He thus notices the *blasphemous* attacks made upon the Hindoo religion by the Baptist missionaries: "As to the abusive terms made use of by the Editor, (of the *Sumar-*

chan Durpun,) such as 'Father of lies alone, to whom it (Hindooism) evidently owes its origin,' 'Impure fables of his false gods,' 'Pretended gods of Hindoos,' &c., common decency prevents me from making use of similar terms in return. We must recollect that we have engaged in solemn religious controversy and not in exercising abuse against each other."

He repels the charge of the Hindoos' religion, in its purity, being idolatrous. "If we admit that the worship of spirit possessed of material body is worship in spirit, we must not any longer impute idolatry to any religious sect; for none of them adore mere matter unconnected with spirit. Did the Greeks and Romans worship the bodies of Jupiter and Juno, and their other supposed gods, separately from their respective spirits? Are not the miraculous works ascribed by them to these gods proofs of their viewing them as spirits connected with the body? Do the idolaters among Hindoos worship the assumed forms of their incarnations divested of their spirit? Nothing of the kind. Even in worshipping idols, Hindoos do not consider them objects of worship until they have performed *Pranprutistha*, or communication of divine life. According to the definition given by the Editor, (of the *Sumarchan Durpun,) none of them can be supposed idolaters, because they never worship the body separately from the spirit; but, in fact, any worship, through either an artificial form or imaginary material representation, is nothing but idolatry."*

The *Brahminical* Editor speaks as follows of the dogmatists in religion: "It seems almost natural that when one nation succeeds in conquering another, the former, though their religion may be quite ridiculous, laugh at and despise the religion and manners of those that are fallen

into their power: for example, Mussulmans upon their conquest of India proved highly inimical to the religious exercises of Hindoos; when the generals of Chungez Khan, who denied God and were like wild beasts in their manners, invaded the western part of Hindoostan, they universally mocked at the profession of God and of futurity, expressed to them by the natives of India: the savages of Arracan on their invasion of the eastern part of Bengal, always attempted to degrade the religion of Hindoos. In the ancient days the Greeks and the Romans who were gross idolaters and immoral in their lives, used to laugh at the religion and conduct of their Jewish subjects, a sect who were devoted to the belief of one God. It is therefore not uncommon if the English, who are of the conquerors of this country, revile and mock at the religion of its natives."

The Brahmin challenges free discussion, and says the Hindoos will change their creed, if the reasonableness of Christianity can be proved. "Now in the mission-press of Shreerampore a letter shewing the unreasonableness of all the Hindoo shastrus having appeared, I have inserted in the first and second number of this magazine all the questions of the above letter, as well as their answers, and afterwards the replies that may be made by both parties shall in like manner be published. If by the force of argument they can prove the truth of their own religion and the falsity of that of Hindoos, many would of course embrace their doctrines."

The Editor of the Brahminical Magazine erroneously supposes that Christians are Polytheists. "I shall be obliged," says he, "if the Editor (of the *Sumarchan Durpun*) can shew that the polytheistical doctrines maintained by Hindoos are, in any degree, more unreasonable

than his own; if not, he will not, I trust, endeavour in future, to introduce among them one set of polytheistical sentiments as a substitute for another set, *both of them* being *equally* and *solely* protected by the *shield of mystery*. I, however, beg to ask whether the omnipotence, omniscience, and infinite mercy of one person is sufficient or not to arrange the universal system, and preserve its harmony? If so, an admission of the omnipotence and omniscience of the *second* and the *third* is superfluous and absurd; but if not sufficient, why should we stop at the number three, and not carry on the numeration until the number of omnipotent Beings becomes at least equal to that of the heavenly bodies, ascribing to each the management of every globe? From the skill which Europeans generally display in conducting political affairs and effecting mechanical inventions, foreigners very often conclude that their religious doctrines would be equally reasonable; but as soon as any one of them is made acquainted with such doctrines as are professed by the Editor, (of the *Sumarchan Durpun*,) and by a great number of his countrymen, he will firmly believe that religious truth has no connexion with political truth."

The Brahminical writer contends for the immortality of the soul. "Every professor of any theistical system, such as the followers of the Nyayu doctrines, and those of Christianity, believe that God is not perishable, and that the soul has no end. The soul during an endless period either enjoys the beatitude procured by the acquisition of a knowledge of God, or receives the consequences of works. In like manner they both believe that it is God that bestows on the soul the consequences of its good and evil actions, and that the will of God is immutable. If any faults be found with these doctrines,

then the system of the Nyayu and of Christianity both must be equally subject to them, for both systems maintain these doctrines."

At Bombay, almost the first act of the present Governor's administration was to abolish the base Censorship. This gentleman had, by his great capacity and active virtue, raised himself to the highest dignity in the state; he had devoted his life to the study and practice of Eastern politics; he had the experience too, of the workings of a Free Press in Bengal, and the result was his adoption of that measure. This was well done, it was an action worthy of Mr. Elphinstone—the action of a lofty-minded Englishman.

The government of Madras, unmindful of the benefits daily arising from the Press in the sister Presidencies, obstinately persevered in subjecting all controverted points in learning, religion, and government, to the arbitrary and infallible judgment of Mr. Censor Wood. This *Magnus Apollo*, having experienced the advantage arising from his interpolations, erasures, additions, and garblings, has lately ordered that nothing shall be printed without being submitted a second time to the ordeal of his chaste criticisms, for the purpose of ascertaining that the corrections have been rightly made. Thus an author or editor is obliged to express himself, whether he approve or object, exactly as the Censor dictates. From this polluted source, the whole of the knowledge of public events, and of the march of opinion, is derived at Madras. There the Licenser, in addition to his other high privileges, has assumed a despotic sway over consciences:

“ He has contrived to take
From Rome all seasoned office, and to wind
Himself into a power tyrannical.”

In close imitation of the mighty Lama of the West, he has exercised his right as Censor of heretical pravity. Had this Madras Censor been the illegitimate progeny of some fiery *Celibate*—the spurious offspring of an illustrious Inquisitor—the *magni Jovis excrementum*, we should not have been surprised at his conduct, but it is lamentable to find an English Protestant gentleman assuming arbitrary sway over consciences.

The Censor of heretical pravity at Madras prevented the printing in Tamul, the *Prayer Book* of the Christian Unitarians, (which was a translation of the Liturgy of the Church of England with the omission of the Trinitarian Forms,) and thereby deprived them, to the extent of his power, of the means of carrying on their public worship. Thus he surpassed the Inquisition. The Doctors of the Holy Office prohibited free discussion on religious topics, but, except in the worst times, they never prevented any sect from publishing their *Prayer Book*. With equal justice the Censor of heretical pravity might suppress the works of the Presbyterians, of the Methodists, and of the Roman Catholics—the *Koran*, the *Shastres*, or the writings of any other sect disagreeing with that infallible judge of orthodoxy. A dangerous assumption of power this, ill suited to the spirit of the times, and standing in odious contrast with the tolerant principles which characterize the Hindoos. The Censor of heretical pravity at Madras may consider that the Unitarians are not orthodox Christians. That was matter of opinion.* Perhaps no sect that ever existed might be

* Bishop Warburton, during a debate in the House of Lords, being asked by a Peer to define the terms *Orthodoxy* and *Heterodoxy*, which had frequently occurred, replied *Orthodoxy, my Lord, is my doxy, and Heterodoxy is your Lordship's doxy.*

orthodox to the letter of the law, or according to the notions of a Licenser. Be they orthodox or not, Priestley, a zealous patron of that sect, was one of the most powerful defenders of Christianity at a time when it was so rudely attacked by Paine and others. On whatever side we view this subject, the Censor's conduct appears equally unjustifiable. As a Protestant, he was not warranted in suppressing the Prayer Book of the Unitarians. For the Protestant holds that the Scriptures are the only rule of faith, and this rule is to be interpreted by the exercise of private judgment. As an Englishman, whose constitution is founded on the wise principles of religious freedom, he had no more right to suppress the Prayer Book of this sect, than he would have had to suppress the Old Testament of the Jews, or the Institutes of Menu of the Hindoos. As a religious man, looking to the conversion of idolatrous nations to the pure worship of God, the Censor might have had sufficient penetration to discover that it could only be effected by education and discussion; and that the Unitarians were, of all sects of Christians, the most likely to effect that object. Wilkins, speaking on this subject, says, that "the most learned Brahmins are Unitarians according to the doctrine of Krushna; but at the same that they believe in but one God, an universal spirit, they so far comply with the prejudices of the vulgar, as outwardly to perform all the ceremonies inculcated by the *Veds*, such as sacrifices, ablutions, &c." Like the Hindoos, the Unitarians profess to be pure theists. The marked difference between them is, that the former do not believe in the divine authority of the Jewish and Christian Scriptures.

Some years since the Baptist missionaries suffered from the same spirit of persecution. They were pre-

vented from settling at Calcutta. They then established themselves in the vicinity, at the Dutch settlement of Serampore. There they have ever since been engaged in acts of benevolence, and have devoted from their own funds upwards of £50,000 to charity; and especially to that most comprehensive charity, the promotion of general education. As for converts, they make few or none. A Free Press is the only English missionary which laughs at and reasons with fanatics, and, by degrees, wins over their followers to the side of truth.

SECTION VII.

On the Delays of Office at Madras.

"The conduct of our lives, and the management of our great concerns, will not bear delay."—*Locke*.

THE great delay of justice in British India was an evil of the greatest magnitude. The Court of Directors, speaking on this subject, observe, that "to judge by analogy of the courts in Europe, they would be induced to think so great an arrear would scarcely ever come to a hearing. We should be sorry," they add, "that from the accumulation of such arrears there should ever be room to raise a question, whether it were better to leave the natives to their own arbitrary and precipitate tribunals, than to harass their feelings, and injure their property, by an endless procrastination of their suits, under the pretence of more deliberate justice." To these delays a Judge of Circuit ascribes numerous commitments for breaches of the peace. "Since by protracting for years the decision of suits, it frequently drove the suitors to despair, and induced them to run the risk of taking justice into their own hands, by seizing the object in dispute, rather than to await the tardy issue of a process which threatened to exceed the probable duration of their own lives." These delays were noticed by the House of Commons, ably detailed in the Fifth Report, and exposed by the masterly pen of Mr. Mill.

In consequence of these discussions, a system of native

agency has been established, which has relieved the files of the courts of the arrear of business, and the grievance to a great extent has been remedied. There are, however, other delays of vast injury to the public service, unknown to the Legislature, to him who framed the Fifth Report, and to the great historian of British India. In the silence which pervades despotism, especially where it asserts its influence over the mind, as under the Madras Censorship, there is an endless catalogue of wrongs that never come to the knowledge of the Government or the people. Among others, there are the *delays of office*.

The present Censor of the Press at Madras was formerly Military Secretary. The duties of that office hung heavy on him. Notwithstanding his great industry, it was feared by the army that the time required to settle all the arrears of business, then on his file, threatened to exceed the probable duration of human life, especially in a climate where, during the years 1817 and 1818, one fourth of the officers had actually died. To obtain from the Military Secretary an answer to a common note, often required as much paper, ink, and time, as the decision of a deep chancery suit. The case of Captain Monteith, a Madras officer of Engineers, employed by the King of Persia, will shew the rate at which the worthy Secretary's business proceeded. The Captain in an evil hour wrote the Secretary a letter. For three long years he was kept in a state of feverish suspense, and he continued from time to time, but in vain, to solicit an answer. Meanwhile the learned Secretary brooded over the papers in silence, and his patience triumphed. Off started the active soldier from the lofty Caucasus for Madras. On the day of his arrival there, he received an answer, and

then journeyed back to the frontiers of Russia with the Secretary's *dispatch*.

What, it may be said, has this to do with the Freedom of the Press? The answer is, that every act of mal-administration may be exposed by a Free Press. Had the slow Secretary been subjected to the lash of a Free Press, it would have accelerated his pace. Captain Monteith would have been spared years of anxiety, and a journey by sea and land of several thousand miles. Nay, more; the public departments and the Madras army would not have suffered for years from the dreadful delays of office. There is, too, another view of this question worthy of consideration. The Military Secretary's office is one of little labour, compared to that of Chief Secretary, who is, in fact, a sort of prime minister. If, then, the Military Secretary, with all his assiduity, was not able to prevent this vast arrear of business, how is it possible for Mr. Wood now to watch over all the important affairs of twelve millions of men, and to exercise a despotic monopoly over their minds and writings? The Censors of the Inquisition, it is true, exercised this power most effectually, but they were assisted by all the craft and industry of the Fathers of the Holy Office. They claimed, too, their descent directly from Heaven, a degree of presumption, not consistent with the modest humility of an *English Protestant Censor of Heretical Pravity*, in Indostan. How these incongruous expressions—this chaos of words—*English Protestant Censor of Heretical Pravity*, jar upon the mind!



SECTION VIII.

Motion on the Asiatic Press at the India House.

"The character of Lord Hastings is altogether modern. It is stamped with the enlightened philosophy of the eighteenth century, and his political career breathes its spirit throughout—its philanthropy and toleration, its earnest sympathy with the fortunes of mankind, and ardent desire to extend their political privileges. Convineed that positive institutions could not do much in ameliorating the state of society, his efforts have been directed to elevate the Indian community in the scale of civilization, by enlightening their minds and affording a wide scope to the Press."—*A. White.*

The Court of Directors having framed a dispatch, directing the Marquis of Hastings to restore the base Censorship, I opposed Mr. Randle Jackson's proposed vote of thanks to Mr. Canning, for his services as Senior Member of the Board of Controul. But Mr. Jackson having afterwards declared in open Court, that Mr. Canning had refused to give his sanction to that odious measure, it became my duty to withdraw the opposition and praise him for his noble conduct. To stifle the *wisdom of the East*, and to fetter the mind of a large portion of mankind, would have been inconsistent with Mr. Canning's fame as a scholar, and his trust as the minister of a free state.

The following is a report of the proceedings, which soon after took place at the India House :

"*COL. STANHOPE* said he rose pursuant to notice, for the purpose of advocating the cause of a Free Press in Asia, and of calling upon the Government to afford information on this subject. He regretted that some gentleman of talent had not undertaken this arduous duty, for his desire to take a lead in the discussion, was

checked by a consciousness of his incapacity to do the subject full justice. The question he was about to agitate, involved not only the interests of one hundred millions of British subjects, but the interests of surrounding nations, and the welfare of myriads, perhaps, as yet unborn. They were not, indeed, our countrymen, they were not of our complexion or religion, but they were our fellow-beings; and patriotism was only the noblest of passions because it was the most useful; since, by limiting our exertions to the benefit of our own community and country, we took the most effectual means of promoting the welfare of mankind.

‘God loves from whole to parts; but human soul.
 ‘Must rise from individual to the whole;
 ‘Friend, parent, neighbour, first it will embrace;
 ‘His country next—and next all human race!’

“Before he entered upon the discussion of this important subject, he must protest against all prejudices, whether they were of English or Indian growth, as aberrations from right reason; but most of all must he protest against that prejudice, which would doom the people of certain sects, and colours, and geographical positions, to endless slavery; or, in other words, which would visit Africa and Asia, comprising one-half of mankind, with a perpetual curse. Montesquieu had, indeed, observed, ‘that the excessive heat of the climate of India deprived the body of its vigour; that this faintness was communicated to the mind; and that the inclinations then became all passive.’ This might be all true: but was it to be inferred from hence that Providence had doomed the people of hot climates to slavery? Assuredly not. The natural inference to be drawn from this position was

directly the reverse; for the greater tendency a climate might have to subdue men's passions, the less necessity there was for restrictive laws to curb or coerce them. He defied any man to come to a different conclusion. In point of reason it was incontrovertible. Never would he believe that slavery was of Divine institution, until he beheld ' subjects born with hunches on their backs like camels, and kings with combs on their heads like cocks ; from which marks it might be collected that the former were designed to labour and to suffer, and the latter to strut and to crow.' Having made these prefatory observations, he would now solicit the attention of the Court to the immediate object of his motion.

" In order to take an enlarged view of the effects of a Free Press in India, it was necessary to reflect on the character of Asiatic governments and despotism. They must contemplate all the intellectual light of the nineteenth century, bursting in upon countries which had been debased by ages of moral darkness and gloomy despotism. The doors of knowledge being thus thrown open, reform would follow in the most safe and natural course ; because reforms were always best accomplished by removing those checks and restrictions which had supported abuses, and impeded the progress of improvement. By such timely and salutary reforms, the wounds inflicted by a long tyranny might be healed, and frightful revolutions averted.

" He would next consider the character of public writings, and of the Press in India. The art of printing was asserted to have been known in Asia upwards of 2,000 years ago : long, very long before it was known in Europe. He was not aware, however, that it was ever practised in India till it was introduced by the Europeans.

But they were not to suppose, because there was no Free Press in India at a remote period, that therefore no liberty of writing prevailed; on the contrary, history spoke of a Sovereign of the East, who reprimanded the historian of the Empire for recording his misconduct. ‘What,’ said his Majesty, ‘have you the audacity daily to record my faults?’ ‘Yes,’ answered the chronicler, ‘that is my duty; and that duty directs that I should now write down the threats with which you have just menaced me.’ The Emperor said, ‘Well, write down all, and in future I will endeavour to do nothing for which posterity can reproach me.’ It was also a proverb in the East, that ‘the monarchs of Asia were more afraid of the pen of Abulfazil, than they were of the sword of the mighty Akbar.’ And Dow observed, that, ‘however surprising it might seem in absolute governments, yet it was certain that the historians of the East wrote with more freedom concerning persons and things than writers had ever dared to do in the West.’ There was, in truth, no restriction whatsoever on writing. Look to the Institutes of Timur and Akbar: their pages teemed with encouragement to learning and learned men, but no vestige of a restraint on writing was to be discovered in them. On these grounds, then, he contended that a Censorship was an *innovation*, dangerous to the interests of the people, contrary to the constitution of this country, contrary to the high maxims of state policy professed by Britain, and which ought to guide her conduct towards her colonies, and contrary to the manner, customs, and religion of the Hindoos.

“He would now consider the nature and character of public writing under our own Government in India. During the administration of Warren Hastings, the Com-

pany's territories were assailed on all sides. Never were our Eastern possessions threatened by such perils and dangers. Our empire was menaced with destruction from without, and the Governor-General was at open war with his Council. They scrutinized, as effectually as a Free Press could have done, every act of his administration; and frequently carried their measures against him. They rated him at the council-table, braved him to a duel in the field, and had nearly forced him to abandon his Government. Still the Press, in those dangerous times, enjoyed perfect freedom, although Warren Hastings was attacked by it with virulence. One Heilly was in the constant habit of lampooning the Governor-General under the title of the Great Mogul. He was prosecuted, and found guilty; but Warren Hastings, though in some points a despot, had the magnanimity to procure his pardon. He was attacked also by his inveterate enemy, by the most powerful writer of the age, by one whose great talents have even marked him out as, probably, the author of *Junius*.*

“Lord Cornwallis, who had immortalized his name, and that of his country, required no Censorship to guard the state from the influence of free discussion. That great man distinguished himself by his moral, foreign, and domestic policy; by reforming abuses and corruption in the state, by improving the administration of justice, and by giving to India that which was dearest to every man's heart, he meant a permanent property in the land. Here, however, he must protest against the hasty and ill-digested manner in which the permanent settlement was established, but which was no good argument against the

* Sir Philip Francis.

system. He was, be it remembered, only speaking of the principle; and though the system might have failed to a certain extent, it had not failed altogether; therefore this partial failure could not be adduced as a general argument. He now came to the mild administration of Sir John Shore, under whose government the Press was perfectly free; so much so, that he held in his hand the *Asiatic Mirror* of the 11th of June 1794, which contained, in one sheet, animadversions on the Court of Directors; on Lord Cornwallis; on the Batavian Government (relative to which the Batavian Government remonstrated); on Commodore Mitchel, the Naval Commander (who had been sent out with four ships to attack an enemy by whom our trade was molested, and who was stated not to have taken measures to bring the enemy to action,—a very delicate charge undoubtedly); on Sir J. Abercromby, the military commander; on the army, about which there were serious disputes; on the bad system of pilotage in the Ganges; and on a Native Prince, for torturing and murdering two men.

“ About four years after this period the brilliant government of the Marquis of Wellesley commenced, and under his administration the Censorship was first slyly established. Gentlemen would perhaps say, ‘ why do you disturb or agitate this matter when things are going on well, and the Censorship has been removed?’ He did so, because he wished to prevent any future government from getting possession of the citadel, and once more placing the fetters and shackles of despotism on the Press. During the administration of the Marquis Wellesley the Press was placed under the controul of a Censor, and subjected to restrictions which would not be permitted in any of our West-India Islands, the inhabitants

of which were principally *slaves*. Thus the empire of reason was destroyed, and in its place a mental despotism was established. He next came to the government of the Marquis of Hastings, who, with the *unanimous consent* of *able and experienced counsellors* (counsellors selected by the hon. Court of Directors) abolished the base Censorship; and Mr. Canning, the late President of the Board of Control, had received thanks in the Court of Proprietors for having supported that measure.* He did not approve of Mr. Canning's political sentiments; no man, indeed, was more strongly opposed to them; but when he found him instrumental in doing good to his fellow-creatures, in any part of the world, he was ready to bestow on him the meed of approbation. The Marquis of Hastings knew that the diffusion of knowledge was essential to the perfection of society; and that an intelligent nation, collectively, was wiser than any despot or despots. 'The people,' said Aristotle, 'may always quash the vain pretensions of the few by saying, we, collectively, are richer, wiser, and nobler than you.' Another reason which induced the Marquis of Hastings to establish the freedom of the Press, was, that the Native could exercise his pen freely, though the European could not; for the Native, though nominally under the control of a Censor, could not, like the European, be banished at the will of the Governor-General in Council. Thus the Native was amenable to the law alone, but the European writer was subjected to no defined law, but to the arbitrary will of a Censor. He was, in fact, a slave, while his swarthy fellow-subject was free.

" He would now call the attention of the Court to an

* See *supra*, p. 46.

extract from the Address of the Inhabitants of Madras, which was signed by about 500 persons of the first rank and character, and presented to the Marquis of Hastings. If any person doubted the respectability of the parties who signed it, a perusal of the first 20 names would remove their scepticism. Amongst them would be found Sir J. Newbolt, the late Chief Justice of Madras; Sir E. Stanley, the present Chief Justice; Mr. Geo. Cooper, one of the Puisne Judges; and Mr. Scott, the Chief Justice of the Adawlut Court. The Address was drawn up under the Censorship, and, no doubt, contrary to the wishes and inclinations of the Government; so much so, indeed, that they would not allow it to be published at Madras; but there was a Free Press at Calcutta, and thither it was sent."

"**Mr. RIGBY.**—Were those names signed to the paper you are about to read?"

"**Col. STANHOPE** answered that they were. The Address complimented the Noble Marquis on restoring the Liberty of the Press, and thereby pursuing the steps of 'the most accomplished statesmen,' who, 'while they provide for the welfare and security of the realm, neglect not to cherish the arts of peace.' The Liberty of the Press tended to call forth the latent powers of the human mind, and had, on agriculture, on arts, on commerce, on all that was connected with liberal knowledge, a powerful and permanent influence. It added to the resources of the state, while it enlarged the happiness of the people.* Such was the treason, the publication of which would not be suffered in Madras. Now for his Lordship's answer.†

* See *supra*, p. 30.

† See *ibid.* pp. 32, 33.

“ Such were the words of a European ruler over a hundred millions of swarthy Asiatics ; sentiments so useful and so noble, that he conceived no parallel could be found to them in history. The restrictions still imposed on the Press were, indeed, of a character to paralyze the freedom of writing; but they had never been acted on. He defied any man to produce a single instance where they were carried into effect. They were principally imposed, no doubt, to reconcile the powerful enemies of the Press ; he meant the Company’s Servants in India, the Court of Directors, and the Board of Controul. It was natural to suppose that those gentlemen would use every exertion to prevent the public from becoming the Censors of their Government ; and it was therefore expedient to deprive them of every pretence for restoring despotism. The restrictions had, in fact, been a dead letter under the administration of the Marquis of Hastings ; but such of them as were inconsistent with the manners, habits, and customs of society in India should be completely rescinded, lest future governors or governments should be tempted to exercise this bad power. Dangerous and hateful, however, as all unnecessary restrictions were to liberty, still where no Censorship existed, there would always be found high-minded men to speak bold truth. The punishment they subjected themselves to was deeply to be lamented ; but it was better that a few individuals should suffer, than that a whole community should be consigned to endless, to hopeless slavery. Those writers who opposed this principle, and there were many able men who had done so, must admit that their arguments were futile, because the establishment of a Censor would go to suppress all political writings. Not a word that appeared, on such subjects, in *The Edinburgh Review*, in *Cobbett’s Register*, in *The Examiner*, in *The Chronicle*, or

in *The Times*, could be published under a Censorship. Nay, one half of what was published in the *Ministerial Press* would be rejected by a Censor. Gentlemen did not perhaps know the character of a Censorship; but, having lived under one, he knew it well.

“ To shew the sincerity of the attachment which the Marquis of Hastings bore to the Liberty of the Press, it would be sufficient to refer to the tone of writing in the Bengal prints; but, in addition to this, he would mention a few particular instances, which fully proved the fact. Soon after the abolition of the Censorship, the Madras select vestry were accused of having been guilty of certain bad practices. It was made a subject of complaint in the public Press, that the members composing this body had assumed the monopoly of their office, and had elected their successors to it; by which means certain charitable donations, placed under their controul, became subject to abuse. The consequence of this exposure was, the convening of a public meeting, at which the subject was discussed, and in a tone of freedom never known in India, until the administration of the Marquis of Hastings. A strong petition, detailing the alleged grievance, and praying for redress, was drawn up, and presented to the Supreme Government, by whom it was referred to the Court of Directors, whose general character for equity and justice left no doubt on his mind but that they would come to a correct decision on the subject.

“ Another instance which shewed that the restrictions were not acted on, had taken place lately. Mr. Buckingham, who wrote for the *Calcutta Journal*, had been prosecuted for a libel. It appeared that the Chief Justice had been accused of degrading his high situation, by acting with scandalous partiality towards his own son-in-

law, Mr. Croft, who was found guilty of an extraordinary act of seduction. He appealed, it was said, to Lord Hastings, on the subject of the alleged libel; but was referred by him to those laws over which he presided. From them he was directed to seek redress. This was an answer worthy of a British statesman. Mr. Elliott and the Madras Government were repeatedly attacked, with great violence, by the Calcutta Press. Their Censorship was rendered ineffectual; for whatever the Madras Censor cut out, was published at Calcutta, and soon found its way to Madras. Of this they complained, for they claimed arbitrary power over the Press; but they found that an appeal to the laws was their only resource.

“ He would now allude to the efforts made by Ram-mohun Roy to reform the prevailing superstition of the various casts of Hindoos. The character of this Brahmin was perfectly well known; he was universally esteemed for his learning, piety, and public virtue. Through the medium of the Press he had made known to his countrymen how contrary the corruption, cruelties, and polytheism, practised by them, were to the pure system of theism inculcated, as he declared, in their religious works. Thus, by promoting the cause of education, and of inoffensive discussion, the public mind would be enlightened, the Sanscrit writings would be translated for its information, it would be enabled to understand the absurdities of the existing superstition, and prepared to follow a purer system of worship. All attempts at proselytism, by any other means, would, he believed, prove ineffectual. Where converts were made, the bad and superstitious Hindoo was generally changed into a worse Christian. He appealed to every man who had been in India, whether this was not the truth.

“ He would next mention a virulent aspersion which was cast on the *Marquis of Hastings himself through the medium of the Press*; he was accused of having intentionally caused the death of two individuals. As well might they accuse the Archbishop of Canterbury, or the late Mr. Howard, the philanthropist, or the present Mr. Wilberforce, of having committed acts like these; for the great principles of morality were not more firmly rooted in their pious minds than they were in the mind of the Noble Marquis. He was charged with having sent out two persons, of the name of Hastings, to unhealthy climates, the one to the East, the other to the West Indies, where they died; and this, too, for the base purpose of securing to his family the title of Huntingdon. As well might the Court of Directors be accused of sending out all their young *protégés*, many of whom never returned, in the hope of occasioning their death. This was touching his sensitive, his chivalric honour to the very quick, and it would seem as if some one inimical to a Free Press had inserted the paragraph. But this high-minded Nobleman, who had himself been sent out to this unhealthy climate by his friend and sovereign, and who carried with him all the virtues of his country; this lofty-spirited individual, who would not crush an insect, whose whole life had been devoted to the service of others, whose character was marked by the strongest traits of disinterestedness, allowed the atrocious slander to pass unnoticed.

“ This, it would be said, was highly creditable to the Noble Marquis; but the enemies of freedom might turn round and quote the argument against himself: they might declaim against the licentiousness of the Press; and argue that, where so great an outrage had been

committed, it was not proper that a Free Press should be suffered to exist. But let gentlemen mark the fact: this libel was inserted in the *Madras Gazette*, which had been previously submitted to the Censor, and had obtained to it his official signature, his initials; this was, therefore, not the licentiousness of the Press, but the *licentiousness of the Censorship*. But he would deserve the name of slanderer, a character which he detested, if he did not declare that the libel was inserted without the knowledge of Mr. Elliott, who was shocked at the paragraph. He had known that gentleman from his boyish days; and though he differed from him in politics, he was well convinced that he was too honourable a man to have ever sanctioned such a malignant falsehood. The same might be said of Mr. Strachey; but it could not escape their observation, that a Censor might, either from neglect or from hostility, affix his initials to such infamous calumnies, and thereby stamp them with the authority of Government. In a word, a Censor might exercise all the bad power complained of in the Press, and might withhold from it all that was acknowledged to be useful and beneficial. 'Better, ten thousand times better,' said Sir James Mackintosh, 'that every Press in the world was burnt, that the very use of letters was abolished, that we were returned to the honest ignorance of the rudest times, than that the results of civilization should be thus made subservient to the purposes of despotism.' Hitherto a Free Press had only existed in the Bengal Presidency; but no sooner did Mr. Elphinstone enter upon his functions as Governor, than he abolished the base Censorship at Bombay. Here he might be permitted to observe, that Mr. Elphinstone was one of the

most enlightened and distinguished men that ever adorned the annals of the Company in the East; and this act was the result of his experience and his wisdom.

“ He would now call the attention of the Court to the nature of a Censorship. A Censor was a Monarch, who possessed absolute power, not indeed over the minds, but over the writings of his subjects. He was descended from a pious house; he was descended from that heaven on earth, the Holy Inquisition. ‘ Till the time of the Inquisition,’ said Milton, ‘ books were as freely admitted into the world as any other birth. The issue of the brain was no more stifled than the issue of the womb. No envious Juno sat cross-legged over the nativity of any man’s intellectual offspring; but if it proved a monster, who denies that it was justly burnt or sunk into the sea?’ Thus, then, they might perceive that this licensing system crept out of the intolerant Inquisition, and was therefore entirely *inapplicable to the tolerant Hindoos*. Yes, he would repeat, for he wished to impress the evil strongly on their minds, and to associate it with hatred in their hearts, that this odious Censor was a hateful monster, nurtured within the walls of the Inquisition. A Censor’s power was absolute. He was presumed to be a master of perfect reason; his prerogative was to be always right; like the Grand Lama, as Voltaire said, ‘ *Il a une plaisante manie; il se croit toujours avoir raison*;’ he possessed a monopoly of all our intellectual productions. Nothing could be sent to the public mart but what had passed through the custom-house, and bore his mark upon it like a bale of cotton. A Censor distrusted the honour, the good intentions, the integrity of others, and assumed to himself the proud title of infallibility! He should indeed be a very clever fellow; a sagacious, sharp-witted

man ; for it would be a sad disparagement to society to have their labours criticised by a fool, and damned at the discretion of a dunce.

“ A Censor, it was true, might plead that he was the mere frontispiece of a man, without heart or mind ; a machine, a tool, a thing acted on by the wisdom of government. The wisdom of government ! that was an awful sound indeed. No one could have a profounder respect for the institution of government than he had. Government enabled him to enjoy society ; but for that happy compact, instead of addressing a polished society in this great hall, he might at that moment be employed in fishing, or grubbing up roots, or seeking acorns, or hunting after game to satisfy his hunger, or falling under the wild liberty of some savage. But what this wisdom of government was, history taught them ; and certainly he did not subscribe to the doctrine that government possessed exclusive wisdom. It would be in vain to look for it under despotic governments ; for assuredly wisdom did not proceed from their great ministers of state, from flatterers, panders, eunuchs, courtesans, informers, inquisitors, Censors, or other trumpery : they might discover it, however, where truth and philosophic freedom prevailed.

“ The licentiousness of the Press was constantly declaimed against ; but admitting the evil, would it, he asked, be wise or just to interdict the exercise of a right, because that right was subject to abuse ? Why, all liberty was subject to abuse. The liberty to indulge in speech, the liberty of writing, the liberty of *locomotion*, even religious liberty, all might be abused ; but would they gag men’s mouths to prevent their reasoning ill, or would they arraign the wisdom of Providence for not

having made them dumb? If they did not push their proposition to this extent, their declamation about the licentiousness of the Press was mere nonsense. The liberty of the Press was said to be dangerous: no doubt it was very dangerous, and so were equal laws, and a free trade, and a permanent settlement; so were truth, knowledge, education, improvement, and all the benefits derived from fair and honourable rule. All these were dangerous, nay, fatal to despotic government; and nothing there was safe, but silence, ignorance, darkness, superstition, sophistry, political lying, and Censorships. It was not necessary to dilate on the nature and advantages of a Free Press; suffice it to observe, that the monopoly of knowledge was, of all other monopolies, the most injurious to society. It left the Government without any check, and it deprived the mother country of all information but such as was derived from servants paid and pensioned by Government. The consequence was, that the governing power of this country was very ignorant of the state of British India.

“ A Censorship, he had already said, was the favourite offspring of civil and religious despotism, of the intolerant Inquisition; therefore entirely opposed to the manners, customs, and laws of the tolerant Hindoos: and he should conclude by reminding gentlemen, that a Free Press was first founded by their wise and bold ancestors, in that great city in which he was now speaking. Any attempt to establish a Censorship in *this* country (and he had heard that such a thing was in the wild and mad contemplation of a person now at the head of Government) could not be too strongly reprobated. The establishment of a Censorship here would be far more pernicious than the repeal of Magna Charta or the Bill of Rights. Like

those sacred charters, the Liberty of the Press was a fundamental principle of our constitution, and any attempt to set up a Censorship in its place would amount to a dissolution of the constitution of England.

“ Let the Company prove then to Asia, not by their boasting, but by their acts, that the great object of their care was, to improve the condition of men of all classes, sects, and colours. Like the famous Free States of Greece and Rome, let them be true and firm in support of their own freedom ; but, unlike those selfish monopolists of liberty, let them endeavour to extend the blessings they themselves enjoyed, to all who lived under their rule, and even to foreign nations. Such, at least, was his anxious hope ; and to give effect to it, he would now move, ‘ That all late proceedings by the honourable the Court of Directors concerning the Liberty of the Press in British India, be laid before the Court of Proprietors.’ If, continued Col. Stanhope, an assurance was given that no intention of restoring the Censorship, either now or hereafter, existed, he should be rejoiced to hear it. He would then cheerfully come forward to praise, in the warmest terms, the conduct of Government, and he would not press his motion.—One word more. He trusted gentlemen would bear in mind, that a Free Press had existed in times of the greatest difficulty and of the most awful danger, under the wisest and most virtuous of their governors ; and that, after the experience of more than twenty years of despotism under a Censorship, the liberty of writing had been re-established by the great Lord Hastings. Let them, then, cast aside their prejudices. Let them do unto those swarthy nations, those hundred millions of men, as you would be done by ; and beware of the reflux of Asiatic despotism. He should

now conclude, reserving to himself the right of answering those who might think proper to oppose the motion, or rather the principle for which he contended; because for the motion itself he cared very little.

“ The Hon. D. KINNAIRD said he would take the liberty of seconding the motion, as a matter of form. He was not at all aware of any proceedings on this subject, that might with propriety, be laid before the Court at the present moment. At the same time, so entirely did he agree in all that the honourable gentleman had said, thinking that he had only done strict and fair justice to the Marquis of Hastings in the sentiments he had expressed concerning his conduct on this and all other points connected with his government, and fully coinciding in the tribute he paid to the private character of this distinguished Nobleman, he was certainly very anxious that an opportunity should be afforded to pledge the Court of Proprietors to uphold a system, by which the present Governor-General had more immortalized his name than by any other measure he had adopted. It rarely happened that men were placed in such a situation as enabled them to give effect to their dearest wishes; but the Marquis of Hastings had been placed in that fortunate situation, and he had wisely availed himself of it. He seconded the motion with pleasure, because it gave him an opportunity of stating, that the course pursued by the Governor-General with respect to the Liberty of the Press formed one prominent ground on which he hoped, at no distant period, to be called on to support a motion from the Chair, ‘ That the thanks of the Proprietors be given to the Marquis of Hastings, for the wisdom and liberality of his civil administration.’ He conceived that the Noble Marquis deserved more thanks for his civil policy, and for

this enlightened act amongst the rest, than he did even for his military achievements. He seconded the motion for the purpose of giving effect to what he understood to be the object of the honourable proprietor, that of procuring the sanction of the Court to the principle which he had laid down; and he willingly challenged discussion on a system which he believed would form the best and surest foundation for the future greatness and stability of their Indian empire.

“ Mr. CHALMERS felt himself called on to move the previous question, because he thought, under all the circumstances, it was not necessary nor advisable that the motion should be carried. He knew, as well as any man, the importance of the Liberty of the Press; but he was bound to say, at the same time, that he could not regard the exercise of that privilege in India, in the same point of view that he considered it with respect to England. There was no doubt that there could not be a heavier restriction on the Liberty of the Press than a Censorship. But circumstances, that did not apply to this country, might render such a measure necessary in India. How stood the fact? The laws with respect to libel might be promptly carried into effect in England; but that was not the case in India, where the laws could not be acted on in the same manner as in this country. In a case of libel in England, the party aggrieved might proceed by civil action for damages, or he might file a criminal information. But he was authorized to say, that the courts in India had not the same jurisdiction which the courts here possessed; which jurisdiction tended to correct and controul ~~the~~ licentiousness of the Press. He was, therefore, of opinion, that a system which could not be endured in this country, might be acted on with wisdom and justice

in India. *Now, though he was not dissatisfied at the removal of the Censorship by the Marquis of Hastings*, he could not consent that a pledge should be entered into to prevent its being renewed at a future period if it were found necessary. With respect to the Censorship itself, it certainly did not possess all those odious features which the honourable proprietor had described, nor did he think it ever had, or ever could produce such consequences as he had stated. He did not believe that the Government would permit the Censor to repress literary merit, or to hinder the publication of any thing that was not absolutely mischievous.

“ The honourable proprietor had alluded to Magna Charta and the Bill of Rights in the course of his speech, as being of less value than that unbounded Liberty of the Press which he wished to be established in India. But he ought to recollect the nature of our tenure there. We had, from small beginnings, formed a mighty empire, and that despotism, to a certain extent, must exist there, few people would be bold enough to deny. Besides, it was congenial with the disposition of the natives, who were never accustomed to any other species of government. No man could have less personal reason than himself to eulogize the Indian Government, because he had never asked or received any favour or benefit from it; but he would be unjust if he did not take this opportunity to declare that the most extensive facilities were granted by that Government to persons who resided peaceably in India, without offering offence to the state. He had himself left Bombay and settled at Madras; he had even changed his profession, and became a lawyer, without receiving the slightest molestation from Government; and he thanked them for their liberality and magna-

silence in not having noticed him. He had seen in the newspapers there a great many things which he was sure disgraced the Press; and he knew, beyond a doubt, that Government had endured a great deal of obloquy. He recollects one gentleman, who was in the profession of the law there, and who, had he pursued that profession, possessed talents that must have ensured his fortune; but, instead of taking that course, he set up a newspaper, to observe on the conduct and affairs of the Government, with which he had nothing to do. Though he was a clever man, he could not be supposed capable of judging of the motives which led Government to adopt particular measures; and, as was generally the case, when he did attempt to judge of them, he always viewed them in a disadvantageous light. As he could perceive no necessity for urging the motion, he begged leave to move the previous question.

" The CHAIRMAN stated that he wished to say a few words, which would, perhaps, shorten the discussion on that subject. If he understood the honourable proprietor correctly, he said, that if there existed no intention to alter the present state of things with respect to the Asiatic Press, he would not persist in his motion.

" Col. STANHOPE said, that if there existed no intention to re-erect the Censorship, either now or at any future period, that then he should not press his motion; but that if an intention to restore the Censorship was entertained, then he certainly would press it, because it was his intention to proceed further in the business.

" The CHAIRMAN stated that it was totally out of his power to say what might be done in future; but as far as he knew the sentiments of the Court of Directors, no such intention now existed. Looking to this circumstance,

and considering the delicacy of the subject, on which a variety of opinions necessarily prevailed, he hoped the honourable proprietor would consent to withdraw his motion.

“ Col. STANHOPE said that he withdrew it with pleasure after that pledge; he meant the pledge the honourable Chairman had given. He did not refer to his own words, but to those of the honourable Chairman.

“ The CHAIRMAN said, he could not pledge himself as to the future; but no intention existed, for any thing he knew, to renew the measure at the present time.

“ The Hon. D. KINNAIRD expressed his acquiescence in the withdrawal of the motion; and he would put it to the honourable proprietor, whether what had fallen from the honourable Chairman ought not to be fully satisfactory to his own mind?

“ Mr. LOWNDES hoped the subject would not be dropped until he made some observations in defence of the Marquis Wellesley.

“ The CHAIRMAN conceived the motion to be now withdrawn.”*

Though the motion had been thus withdrawn, Messrs. Grant, Jackson, and Lowndes made speeches on the subject of the Indian Press. On attempting to answer them, I was called to order, and could not obtain a hearing. These gentlemen spoke as follows:

“ Mr. LOWNDES wished to say a few words with respect to the Liberty of the Press in India. He would not let it go forth without comment that the Marquis Wellesley had set up a system which the Marquis of Hastings

deemed it necessary to abolish. But look to the situation of India, when the Marquis Wellesley adopted the Censorship: it was in the same revolutionary state in which this country was plunged twenty-five years ago; and he thought, under these circumstances, it was necessary to put a straight waistcoat on the writers there, to prevent them from destroying the Government, and receiving the property of the Company. Mr. Wilberforce had recently said, that this Company of merchants not only governed 80,000,000 of subjects, but governed them well; and if they did govern them well, was it not in consequence of the power the Wellesley family established in India? When the Marquis Wellesley instituted the Censorship, he did so because India was in a very different state from that in which it appeared at present. It was assailed by tempests and storms; but now the storms were blown over, and it might be proper for the Marquis of Hastings to adopt a different course.

“ Mr. R. TWINING put it to the honourable Chairman, whether this discussion ought not to be terminated. The honourable proprietor was arguing on a matter which related solely to a motion that had been withdrawn, and therefore he was out of order.

“ Mr. LOWNDES.—Surely the honourable gentleman will see the propriety of not letting a *slander* go out against the Marquis Wellesley, who was described as the despot of the Press. There was an obvious reason for withdrawing the Censorship now, which was, that he had subdued our enemies in India by his wise government, and therefore less danger was to be apprehended from a change of system.

“ As the Court was breaking up, Mr. GRANT offered himself to the notice of the Chairman, requesting to be

allowed to address a few words on the important subject before them, which could not, he thought, be with propriety left to terminate as it then stood. He said, that when it was proposed to withdraw a motion which had been submitted to the Court, the leave of the Court was requisite to that end; this had not yet been regularly given, and therefore he did not conceive that he was out of order in claiming the attention of the Court for a short time.

" It was not his wish, in the least degree, to provoke discussion by any observation which might fall from him; he felt, on the contrary, that discussion ought to be avoided, because this was one of the most critical and important subjects that could possibly engage the attention of the Government of this country, or of the East-India Company, and therefore to be approached with the greatest caution and deliberation. So considering it, he was well content that the motion should be withdrawn; but the circumstances under which this was done should be correctly known, otherwise an erroneous idea of what had passed might, by means of the reports which would appear in the different newspapers, be very widely disseminated through India as well as this country; and from these it might be inferred that the Court both acquiesced in the statements and reasoning of the honourable proprietor, and that the Directors remained under some pledge to make no change in the regulations for the Press as they at present stood; he wished, therefore, to enter his decided protest against each of those statements. *He was not, however, friendly to any harsh or unnecessary restriction on the Liberty of the Press;* nor did he mean, in entering his protest, to impugn the motives of the honourable proprietor who introduced the subject. He did not

question that his motives were of a public-spirited nature, but he could not acquiesce in the honourable proprietor's history of the Press in India, being convinced that, from beginning to end, he was mistaken in his statement of facts. He himself (Mr. Grant said) had served the Company several years in India, and under those governments to which the honourable gentleman had referred—the governments of Mr. Hastings and of the Marquis Cornwallis. He had not been an inattentive observer of what occurred in that country during his residence there, and he certainly knew nothing of the existence of that freedom of the Press, which the honourable proprietor had asserted; nothing, indeed, of that kind was then either established or claimed; on the contrary, he thought he recollects an instance of Lord Cornwallis's sending an European out of the country for the liberty he assumed in some misuse of the Press;* and he well remembered that Lord Teignmouth had shipped for England the editor of a newspaper, who had advertized a pamphlet on the "rights" or the "wrongs" of the army, at a time when the temper of its officers was in a very critical state.

"With respect to that freedom of the Press which the honourable member had represented as existing under the Native Government, it was an idea perfectly new to him, and he believed to every gentleman who ever resided in India, and was acquainted with the character of that Government. In fact, there was under it no Press at all, but freedom of discussion, in any form, was utterly unknown to the genius of the Government and of the

* "The honourable ex-director has since expressed a doubt whether the case to which he alluded should not have been referred to Lord Wellesley's government."

people. The honourable member likewise appeared entirely to misconceive the situation in which the English Press in Bengal was placed at the present moment, and the nature of the measure which Lord Hastings had adopted in relation to it. What had the Marquis of Hastings really done? He had done one thing, and he had done no more: he had withdrawn the examination of English newspapers by an officer of the Government, usually called a Censor, but the principles and rules by which that officer had been directed to regulate his examination, were still in force. The Noble Marquis, in withdrawing the former order to editors of English newspapers, to submit their papers before publication to the inspection of a Censor, had imposed on them the observance of the same rules by which their papers were to be regulated before the duties of the officer were dispensed with. The editor of a newspaper was not now obliged to communicate the contents of his paper to a Censor before he published it, but the rules and restrictions under which he was before allowed to publish were still prescribed to him in writing as the guide of his conduct, and thus remained in force just as before; all which the records of the Company would prove. Such was the present state of the case, and he thought it was only just to the Marquis of Hastings that the real fact should be known. With respect to the alteration which had taken place by suppressing the Censorship, it was a point on which, of course, diversities of opinion might exist. He did not mean to discuss it. In his opinion, the freedom of the Press was one of the most important subjects that could be agitated by any government, and to no government could it be so delicate, so difficult, and so important, as to their Indian Government. Whatever might

have been the idea of the Marquis of Hastings in withdrawing the Censorship, it was clear that he still maintained the original restrictions by which the English Press of Bengal had been governed. It was not indeed to be supposed that a man of his large views, and his talents for government, would throw open the Press of India, free of all restraint, in the manner that had been supposed; such an act would be contrary to that prudence, foresight, and vigour, which other measures of his administration had evinced. He did not himself wish (Mr. Grant said) *to propose any restriction on the present state of the Press*; but he was desirous that the public should know how the case now really stood, and he was extremely anxious to deprecate any premature or unnecessary discussion of this question. Had the Liberty of the Press in India been as unrestrained as the honourable proprietor supposed it to be, still he should think it very unadvisable to introduce the first discussion on that question in a popular assembly like the present, uninformed as many gentlemen must be on the subject. He was therefore glad that the honourable proprietor had thought fit to withdraw his motion; but he hoped it was not withdrawn under an idea of an implied acquiescence in his statements, or to what he had now briefly to advert, in the second place, under a supposition that the judgment of the Court of Directors, with respect to this question, was to be confined or restricted in future. In this respect they must be understood to remain entirely without any pledge, given or implied. Nothing should be assumed beyond what the honourable Chairman had said, namely, that the Court of Directors had no proposition relative to this subject under consideration. He (Mr. Grant) believed that to be the fact: he said he believed

it, because as he was *not at present in the Court of Directors*, he could *not speak from his own immediate knowledge*. He again deprecated a hasty discussion of the question in that Court; it could not, he conceived, produce any practical advantage, and might lead to mischievous consequences. The natives of Bengal had began to issue publications from the Press in their own language. Let the effect of this experiment, and of the progressive diffusion of information throughout India by means of the Press, be vigilantly observed, and the regulations which existing circumstances may require be then timely provided. He was, for one, willing that publicity should be given in India to useful productions on all proper subjects; but to say that the Indian Press should be placed in such a state as that any man, however desperate in fortune or principles, should be left at liberty to work by an engine of such mighty power on the native mind, to stir up and to inflame the prejudices of a Hindoo population, either in favour of claims of their own, or in opposition to a government of foreigners, would be most needlessly and unwisely to expose our own security. It would be something, he might almost say, like permitting the approach of a man with a lighted match in his hand to a barrel of gunpowder. With these sentiments, and feeling the most decided objection to the discussion of the question at present, he must repeat that he was well satisfied the motion should be withdrawn.*

“ Mr. R. JACKSON was extremely glad that the honourable ex-director had taken the trouble to state his

* This unpremeditated speech was much applauded. The sentiments of an experienced, intelligent, and honest man must always have great weight.

sentiments on this occasion, because he conceived it to be a matter of the last moment that what had passed should be clearly understood. The honourable proprietor introduced his motion with this sort of provision, namely, 'If you, the Court of Directors, will pledge yourselves that the Censorship shall neither now nor at any future time be renewed, I will withdraw my proposition, but not else.' Now, if it were to go forth to the country, that, on the Directors giving this solemn pledge, the honourable gentleman had condescended to withdraw his motion, it would seem to sanction the correctness of his historical facts, as well as his application of them. In his mind, what fell from the honourable Chairman amounted to this, and to no more: 'I know of no intention, of no contemplation which at present exists, to undo that which the Marquis of Hastings has done; and beyond that I do not and cannot pledge myself.' One most substantial reason had been given by the honourable ex-director who had just sat down for not pressing this discussion farther, and that was the extreme delicacy of the subject. Indeed, the Court of Directors might safely say, 'Considering the delicacy with which it is surrounded, and the detail of historical facts with which it is connected, this is a question of the most momentous nature, and ought not to be lightly or prematurely mooted.' The honourable ex-director had told them how the Marquis of Hastings had acted; *and he had described his proceedings in such a way, that, according to his (Mr. Jackson's) idea, no man could fairly object to the degree in which he had magnanimously relieved the Press of India.* They had learned, that though the Noble Marquis had withdrawn the immediate Censorship, he had not withdrawn any of those wise rules and cautions which, in a govern-

ment like that of India, were essential to the welfare of the state. It would, indeed, have been unlike his own great mind, it would have been unworthy of his high character as a statesman, if he had withdrawn the Censorship in a manner so perfectly unqualified as was stated by the honourable gentleman.

“ **Col. STANHOPE.**—I did not say that the Press enjoyed unqualified freedom.

“ **Mr. R. JACKSON.**—Such I took to be the effect of the honourable proprietor’s statement; and I believe I am not solitary in my supposition.

“ **Col. STANHOPE.**—I mentioned the restrictions.

“ **Mr. R. JACKSON** said the honourable gentleman had indeed alluded to restrictions, but his observations went to this, that the ‘base Censorship’ was abolished, and that all persons, English and otherwise, were at liberty to write their ideas on all subjects as freely as in this country. He had himself mentioned an instance of a man of very liberal mind, a profound Eastern scholar, one of our swarthy subjects, as he had called them, who had written a work for the purpose of reforming the religious prejudices of the various sects of India. Now, suppose an European were to make animadversion on a thousand customs and habits of the Hindoos, which, though they might appear to us highly ridiculous, were viewed with very different feelings by the Hindoos, would not the Marquis of Hastings, who was at the head of a government of opinion, feel it to be a matter of state necessity to take immediate steps to silence and put down, if not expatriate,* that writer, as a person whose

* The Governor-General may send home, but cannot expatriate a writer.

works were likely to produce dangerous consequences to the British interests?

“ If he might be allowed to draw an inference from what had fallen from his honourable friend, (Mr. Kinnauld,) it seemed as if this act of removing the Censorship was to be so identified with the civil proceedings of the Marquis of Hastings, as to be the principal ground for a vote of that Court thanking him for his civil administration. As one of the most grateful and ardent admirers of that Nobleman’s conduct, he would be very sorry if it were to be understood, in any quarter, that those who denied merit to that particular proceeding, must, therefore, withhold their approval from the other great acts of his administration. He made this remark because, though, speaking for himself, he most cordially approved of the removal of the Censorship, yet he knew that very sensible people differed on the subject. They knew, from what had passed in the House of Commons, that a majority of the Court of Directors did not feel cordial towards this act of the Noble Marquis; *and though Mr. Canning did not countenance a paragraph which was proposed for India, and which would, to a certain degree, have been condemnatory of the conduct of the Marquis of Hastings on this point, it was plain that a difference of opinion subsisted among the Directors on this point.* He should, therefore, regret, whenever a proposition of thanks to the Noble Marquis for his civil administration should be brought forward, which he for one would hail as ardently as any man, if this particular measure were so to be placed as to prevent those who joined in praising every other part of his conduct, from cordially and unanimously supporting such a motion. He was satisfied, for his own part, that the change had been effected under circumstances of such

extreme circumspection, that, though the odium was got rid of, the security remained. But supposing the honourable gentleman to have persisted in his motion, he ought to have stated to what purpose he meant to apply these papers if they were granted.

“ The peculiar circumstances in which the proprietors constitutionally stood, was such, that whatever view the honourable gentleman might have had, they in that Court could not interfere otherwise than by way of recommendation, since it was not in their power to originate a single paragraph to India. He certainly should have thought it fair, if the honourable gentleman had persisted in his motion, to have inquired of him what use he meant to make of those documents, that the proprietors might know whether he had any object in view which could be legally accomplished in that Court. He was glad the honourable gentleman had withdrawn his motion without any such promise or pledge as had been alluded to. He trusted that the gentlemen who reported their proceedings so correctly for the newspapers, would be particular in noticing the qualified statement of the honourable Chairman: it would then appear that the motion was not withdrawn under any pledge or promise, but on an intimation that there was no thought or intention of revoking the concession of what the Marquis of Hastings had done.

“ The Hon. Mr. ELPHINSTONE said a few words, in a very low tone of voice. We understood him to approve of the withdrawal of the motion.

“ The Court then adjourned.” *

These speeches, could I have obtained a fair hearing, might have been answered in a few words. Mr. Grant

stated, that the Liberty of the Press had not existed in the time of Lord Cornwallis, and as a proof of it he mentioned an instance of that Noble Lord having sent a person home "for the liberty he assumed in the misuse of the Press." The worthy ex-director has since expressed a doubt whether the case to which he alluded should not have been referred to *Lord Wellesley*. He next mentioned Lord Teignmouth having "shipped for England the editor of a newspaper who had advertised a pamphlet on the 'rights' and 'wrongs' of the army, at a time when the temper of its officers was in a very critical state." But has Mr. Grant never heard of persons being shipped from England to Botany-bay for similar offences? Had he been in Court a little sooner, he would have heard read the *Asiatic Mirror* of the 11th of June, 1794, which contained animadversions on the Court of Directors, on Lord Cornwallis, on the Batavian Government, on the Naval and Military Commanders-in-Chief, &c.; and all this appeared in one sheet under the wise administration of Lord Teignmouth. Mr. Grant stated, that no freedom of writing had existed under the Native Governments. That was an assertion contradicted by Dow, Ferishta, and in the pages of the best Native historians.

Mr. Randle Jackson asked what future steps I meant to take. He had no right to expect that his adversary would apprise him of his mode of attack. Had I, however, been allowed to speak, I should have gratified the learned gentleman's curiosity, by declaring an interminable war against the system, and a resolution to expose before the Court, on every fair occasion, some bad act illustrative of the evils that exist under a Censorship. I also might have given a rough but true sketch of those subsidiary states which *Lord Wellesley* had reduced,

under pretence of their requiring a *radical reform*; and no doubt, his Lordship would have acted up to his principle. Nor could I have omitted to portray the soft pageant of Hydrabad rioting in luxury, surrounded by his female guards,* and by the discipline and the nerve and the iron of British soldiers, and by three millions of licentious, starving subjects, doomed to that living curse, anarchical despotism—a curse that could not prevail with the toleration of free discussion.

Mr. Lowndes accused me of slandering Lord Wellesley. That was a heavy charge. Lord Wellesley had set up a Censorship in Asia, of which Mr. Lowndes approved, and then called me slanderer for merely stating the fact. Perhaps the gentleman calling me so was the slanderer. However, as Mr. Lowndes could not bear to have an English ruler censured for having established a mental despotism, I will endeavour to conciliate him by giving that Nobleman due praise. In the Marquis's career in the East, there were, indeed, prominent features which all must admire. He distributed his extensive patronage with a just and liberal attention to the public interest, and with excellent discrimination; he founded a noble College at Calcutta—a monument the most appropriate to commemorate the fame of a scholar; and he mastered a hostile coalition of nations, aided by the genius and daring of France.

I cannot conclude this Section without remarking, that the speakers thus differing with me on the influence of a Free Press, all professed to approve that magnanimous act of Lord Hastings, the abolition of the base Censorship.

* The Nizam has a regiment of women to guard his person.

SECTION IX.

Animadversions on the Asiatic Press in England.

“ To such men a whole generation of human beings are of no more consequence than a frog in an air pump.”—*Burke.*

IN August, 1821, there appeared in the *Asiatic Journal*, an attack on the freedom of the Indian Press. It was reputed to be written by a distinguished Member of the Court of Directors, and forms the first article in the following correspondence :

“ *To the Editor of the Asiatic Journal.*

“ SIR,—A friend of mine, who attended the meeting of Proprietors of East-India Stock at the India-House yesterday, has reported to me the *substance* of the speech of the honourable gentleman who moved for the production of papers on the subject of the restrictions on the freedom of the Press in India, together with the *outline* of the speeches of the seconder of the motion, and of the honourable Proprietor who spoke in reply.

“ It affords me great pleasure to learn that the latter honourable gentleman, with that accuracy and ability which so eminently distinguish him, demonstrated the *error of* most of those assertions, and *supposed historical facts*, on which the arguments of the honourable *Mover* were mainly founded. If I had happened to be present on that occasion, I should have felt it to be my duty to follow up what that gentleman so successfully urged, by the statement of a fact, bearing strongly on the question, which came within my own personal *knowledge*. I

therefore beg leave to state it to you, for the purpose of being inserted in your useful Journal, and for the eventual consideration of those gentlemen, who, allured by the attractive theories displayed in the debate of yesterday, may be advocates for the *unrestricted* liberty of the Press in India.

“ During the administration of the late Lord Minto, various tracts in the Persian, Hindoostanee, and Bengalee languages, vilifying the character of the Mahomedan Prophet and his religion, and exposing his impositions as well as the absurdities of the Hindoo mythology, and the frauds and artifices by which the Brahmins exercise a mental tyranny over their credulous votaries, were printed at the Press of the Missionary Society, *at Serampore*, for the purpose of being circulated among the native inhabitants of our provinces, although (as subsequently explained) without the *knowledge and concurrence* of the truly respectable members of that Society.

“ The language of these tracts, especially of those which related to the religion of the Mahomedans, was in the highest degree *offensive*. Fortunately, however, before these *dangerous productions* had got into circulation, the Government adopted the most prompt and energetic measures for the suppression of them. The missionaries readily surrendered all the copies of these inflammatory works remaining in their hands, and gave a solemn assurance (to which they have religiously adhered) never again to permit similar works to issue from their Press.

“ Can any one, Sir, who is acquainted with the character of the native population of India, doubt the consequences which the unchecked diffusion of these pernicious tracts among the Mahomedans and Hindoos of our provinces would have produced?—‘ Touch the religion of the Mahomedan,’ says the late Rev. Claudio Bu-

chanan, ' and he draws his dagger.' When the form of a turban proved an engine sufficiently powerful, in the hands of a few mischievous and designing men, to effect a combination of our native soldiery for the murder of their officers, is it to be supposed that the instrumentality of these works would not have been employed for a similar purpose, or that works of that description would not, independently of any collateral excitement, have roused the latent fanaticism of the bigoted Mussulman or Hindoo?

" Sir, little doubt can, I think, be entertained, that if the Local Government had not peremptorily and effectually exerted its authority, the most serious consequences would have ensued. We owe it to the existence of that systematic controul over the Liberty of the Press, which was the subject of the honourable proprietor's vituperative eloquence, and to its seasonable and authoritative exercise, on that occasion, that this danger was averted. The freedom of the Press might otherwise have let loose the dagger and the sword, and British India might have exhibited, on a much wider scale, the horrors which have lately taken place at Manilla.

" With a view to shew that the highest British authority in India, far from being an advocate for the freedom of the Press in the existing condition of society in that country, is sensible of the necessity of imposing restrictions upon it, I subjoin a copy of rules which were established for the guidance of the editors of the newspapers under the orders of the present illustrious and enlightened Governor-General, when the Censorship of the Press was abolished; and which were circulated amongst all the editors in Calcutta, and subsequently published by the Editor of the Calcutta Government Gazette.

“ ‘ The editors of newspapers are prohibited from publishing any matter coming under the following heads :

“ ‘ 1st. Animadversions on the measures and proceedings of the honourable Court of Directors, or other public authorities in England connected with the Government of India ; or disquisitions on political transactions of the local administration, or offensive remarks levelled at the public conduct of the Members of the Council, of the Judges of the Supreme Court, or of the Lord Bishop of Calcutta.

“ ‘ 2d. Discussions having a tendency to create alarm or suspicion among the native population of any intended interference with their religious opinions or observances.

“ ‘ 3d. The republication from English or other newspapers, of ~~passages~~ coming under any of the above heads ; or otherwise calculated to affect the British power or reputation in India.

“ ‘ 4th. Private scandal, and personal remarks on individuals, tending to excite dissension in society.’

“ I am, Sir, your most obedient servant,

“ **AN OLD INDIAN, AND PROPRIETOR OF EAST-INDIA STOCK.”***

“ *To the Editor of the Asiatic Journal.*

“ Sir :—Your last Journal contains a letter from an *Old Indian*, on the subject of the Asiatic Press. The venerable gentleman, too feeble, perhaps, to attend to his duty in the Court of Proprietors when the matter was discussed, and too inert or too blind to read the report of the proceedings, employs his friend to narrate to him ‘ the outline’ of the Debate, and then comments on it

* *Asiatic Journal*, XII. 115, 116.

with full confidence. Now, if the powers of the *Old Indian* be so absolute that he can even reason without premises, I must bow to his authority.

“ When, however, the *Old Indian* throws aside his high attributes, and reasons from facts, I may then venture to contend with him in argument. ‘ During the administration of Lord Minto,’ says the *Old Indian*, ‘ various tracts in the Persian, Hindooostanee, and Bengalee languages, vilifying the character of the Mahomedan Prophet and his religion, and exposing his impostures, as well as the absurdities of the Hindoo mythology, and the frauds and artifices by which the Brahmins exercise a mental tyranny over their credulous votaries, were printed at the Press of the Missionary Society at Serampore, for the purpose of being circulated among the Native Inhabitants of our provinces, although without the knowledge and concurrence of the truly respectable members of that Society.’

“ The former part of the statement, notwithstanding its apparent tone of exaggeration, may be grafted on truth. But the latter part bears internal proof of your Correspondent being here again misled by hearsay evidence; for who will believe that such worthy men as Dr. Carey and Mr. Ward would, to serve any end, aver that tracts on such a subject, and intended to circulate among sixty millions of men, had been printed in their house, and under the latter person’s official superintendance, without their knowledge and concurrence? On the contrary, will not every body conclude that these Missionaries considered the tracts as useful, and were anxious to give them a wide currency? ‘ The language of these tracts,’ continues the *Old Indian*, ‘ especially of those which related to the religion of the Mahomedans,

was in the highest degree offensive. Fortunately, however, before these dangerous productions had got into circulation, the Government suppressed them.' By this 'seasonable and authoritative exercise this danger was averted,' or 'the freedom of the Press might otherwise have let loose the dagger and the sword.' 'Touch the religion of the Mahomedan,' says Buchanan, 'and he draws his dagger.—When the form of a turban proved an engine sufficiently powerful in the hands of a few mischievous and designing men, to effect a combination of our native soldiery for the murder of their officers, is it to be supposed that the instrumentality of these works would not have been employed for a similar purpose, or that works of that description would not, independently of any collateral excitement, have roused the latent fanaticism of the bigoted Mussulman or Hindoo?' To this last question I answer, No! I contend that the government which rigidly adheres to the great principles of religious liberty, has nothing to fear from the influence of a Free Press, restricted, as all rational liberty must be, by wholesome laws. I shall endeavour to prove the reasonableness of my assertion.

"It is not abstract reasoning, *Old Indian*, which excites religious animosities and civil wars; it is a meddling policy, enforced by penal statutes and persecution. Observe how peaceably persons of all persuasions associate in every country where religious liberty prevails. In England and in America Jews and Christians, and in Hindostan, Mahomedans and Hindoos live in amity, though the sacred writings of each set denounce and pass sentence on all other sects. The 18th article of the Church of England expressly states, that 'they also are to be had accursed, that presume to say that every man

shall be saved by the law or sect which he professeth, so that he be diligent to frame his life according to that law, and the light of nature: for Holy Scripture doth set out unto us only the name of Jesus Christ, whereby men must be saved.' The Bible Societies and the good Missionaries of Serampore are, notwithstanding this denunciation, engaged in translating our Scriptures into every Eastern language, and dispersing them over all parts of Asia and of Africa.

"Numerous instances might be adduced, to shew how harmless freedom of discussion is, where the Government acts, as our Indian Government does, in the true spirit of religious freedom. I have read of a missionary at Ceylon preaching the word of the Gospel before Mussulmans and others in a mosque. This was indeed a high breach of decorum and of religious liberty. And at the great fair of Hurdwa I have heard of another fervent missionary, who loudly proclaimed the tenets of the Christian faith. Hurdwa is the spot where the Ganges, after forcing its way through the mountains, enters the plain. Here two millions of pilgrims are said once to have assembled, and here about three hundred thousand annually meet, for the purpose of undergoing ablution in the holy stream. Now, to preach to, and to brave such a multitude, in a place to them so sacred, was unlike the general prudent conduct of these pious men. It was most unwise. Still 'the dagger and the sword' slept fast in their scabbards. Rammohun Roy, the great Hindoo Reformer, held public monthly meetings in the metropolis of our Eastern Empire, for the purpose of freely discussing the tenets of the Hindoo religion, and the cruelties and polytheism practised under the prevailing superstition. He is author of many tracts and

newspaper paragraphs, ' exposing the impostures as well as the absurdities of the present Hindoo mythology, and the frauds and artifices by which the Brahmins exercise a mental tyranny over their votaries.' Rammohun Roy tells us, he has translated into the Bengalee and Hindooostanee languages the Vedant, hitherto concealed by the Brahmins within the dark curtain of the Sanscrit. He has endeavoured to prove that every rite has its derivation from the allegorical adoration of the Deity, and that He alone is the object of propitiation and worship; though at the present day the Hindoo deems it heresy, and even blasphemy, to assert the Unity of the Supreme Being. This wise Brahmin distributes his work free of cost to his countrymen.

" Some, even, of the Mahomedan Emperors permitted religious liberty. The famous Akbar called into his presence persons of various persuasions, for the purpose of freely discussing with them the great question of religion. He was instructed in the tenets of the Christian faith by a missionary from Portugal. To acquire knowledge of the Hindoo Creed, he concerted a plan with Abulfazil to impose his brother, Feize, upon the Brahmins as a poor orphan of their tribe. Feize was accordingly instructed by a learned Brahmin at Benares. During his studies there, he fell in love with the daughter of his instructor, who consented to their union. Moved by gratitude towards him, Feize confessed his fraud. He was forgiven on condition that he would never translate the Vedas, or reveal the Creed. Abulfazil, in his introduction to the Akbery, breathes the same liberal sentiments as his master. ' Monarchs,' says the Secretary, ' actuated by the pride and self-conceit of sectaries, have prohibited free discussion and inquiry. A regard for self-

preservation, therefore, induces men either to be silent, or to express themselves in obscure language, or compels them to conform to the temper of the times; but if princes had evinced a disposition to promote the search after truth, many illustrious men would have published with freedom their sentiments. The monarch's example is a law to all, and thus every sect becomes infatuated with its particular doctrines; animosity and dissension prevail; and each man, deeming the tenets of his sect to be the dictates of truth itself, aims at the destruction of all others; villifies reputation, stains the earth with blood, and has the vanity to imagine he is performing meritorious actions. If the voice of reason was attended to, mankind would be sensible of their error, and lament the weakness which misled them to interfere in the concerns of each other. Persecution, after all, defeats its own ends; it obliges men to conceal their opinions, but produces no change in them. Where this philosophic spirit prevails, nations have not been visited with religious wars. Philosophers have, indeed, been represented as Atheists. This is a vulgar error, for philosophers love religion, and have in all times rendered it essential service, by destroying superstition and fanaticism. To them we owe that religious freedom so wisely inculcated by Abul-fazil. A spirit of intolerance, on the other hand, never failed to produce uncharitableness, and has caused a sea of blood to flow in the world. It matters not whether it be exercised in the arbitrary support of true religion, or in the suppression of irrational superstition; whether in commanding the pure worship of the Divinity, or in attempting to force from the Hindoo's mind his swarm of gods.

“I shall now speak of the massacre at Vellore: a story

big with folly, wickedness, enterprise, murders, and revenge. To make sepoys shave their faces was as silly an act, as it would be to order the heads of the British army to be shaved; and in obliging Mahomedans to lay aside their turbans, to which they attach serious importance, and in their stead to wear caps like the despised *pariah* drummers, and with fronts of *leather* to them, which they abominate, we offended against the principles of religious liberty, and the policy of our Indian Government. Should the *Old Indian* be a Catholic, would he like to wear a Saracen's turban? or if a Protestant, to have blazoned on his cap the image of the Virgin Mary? or, if a Jew, to have it embellished with a cross? And if not, can he be surprised that fiery and bigoted Mahomedan soldiers should be provoked by similar indignities? It was not, however, 'the *form* of the turban' that roused the soldiery to murder the officers at Vellore, but an active interference in a part of their dress which affected their religious feelings, and a political attachment to an unfortunate Prince. In proof of this, we know that the form of the turbans of the whole Bengal army has lately been changed, and not a murmur has ensued.

"Hence, on the evidence of experience, it appears that every danger is to be apprehended from intolerance and religious interference, and none from a Free Press, controlled by wise laws purely administered.

"I am, Sir, your most humble servant,

"LEICESTER STANHOPE.

"London, Aug. 15, 1821."*

* *Asiatic Journal*, XII. 253—255.

"To the Editor of the Asiatic Journal.

“ **SIR** :—As the Honourable Advocate for the Freedom of the Press in India has been pleased to notice my address to you on that subject, I think it necessary to offer a few brief remarks in reply to his comments on my letter:—his bantering comments on my assumed character, I am sure he will not himself think deserving of notice, and they shall have none. I can venture, on the most credible authority, to affirm that the honourable proprietor is wrong in his conjecture that the missionaries considered the tracts to which I adverted as useful, and were anxious to give them a wide currency: on the contrary, I can assure the honourable proprietor, on the same authority, that they admitted those tracts to be not only useless, as a means of conversion, but of a tendency decidedly dangerous. Moreover, I have too much respect for the characters of the individuals composing the Anabaptist Mission, to disbelieve their assertion, that the tracts in question were published without their knowledge of the contents of them.

“ With regard to the effects which I stated as likely to be produced by those scurrilous and offensive tracts, I reasoned, not merely from an intimate acquaintance with the feelings of the natives of India, especially the Mahomedans, on religious subjects; but from the representation of one of that very class into whose hands a copy of one of those tracts had fallen, and by whom those tracts which related to the Mahomedan religion were brought to the notice of Government. But as the honourable proprietor has denied that tracts of that description, issuing from a Press the property of Europeans, were calculated to excite the fanaticism of the bigoted Mussul-

man or Hindoo, he expects his readers, I conclude, to consider his argument of negation superior to any argument derived from fact, analogy, or experience. I have some recollection, as well as the honourable proprietor, of having heard of a missionary proclaiming the absurdity of the Pagan worship, at Hurdwa, for which, I also heard, he got heartily kicked and pelted; nor is this the only instance of similar folly and of similar treatment within my remembrance. But it is not to be inferred from these exploits of individual folly, that the natives of India will patiently submit to the vilification of their faith, systematically promulgated under the sanction of that Government which has guaranteed to them the unmolested enjoyment of their religious rites and ceremonies; and I must again maintain, that it is the absolute duty of the Local Government of India to restrain, by an act of authority, the Liberty of the Press, when it is prostituted to purposes so dangerous to the public safety and tranquillity. The honourable proprietor has adduced the writings of Rammohun Roy, as a parallel to the tracts which I described, and as a proof of the indifference with which the Hindoos tolerate an attack on their religious faith; but the position is not correct, and the inference is not legitimate. The writings of Rammohun Roy have not the most distant resemblance to the tracts which I refer to, as the honourable proprietor himself would admit, if he had perused both. The Hindoos, however, are not by any means so easily roused to fanaticism as the Musulmans; but, setting this consideration aside, I would ask whether the disquisitions of a Hindoo, on subjects of his own religion, can have the slightest tendency to excite the fanaticism of the professors of that religion against Europeans or the European administration?

" But, Sir, in merely noticing these offensive publications, we have been taking a very narrow view of the question of a Free Press in India. The state of society, and the nature of the Local Government, are not such as to qualify that country for the introduction of an unlimited Freedom of the Press. When a constitution shall be established in India, such as has been the growth of ages in England; when a public shall have been formed in that country corresponding in its nature and composition with a British public; then let the Press be free from the controul of the governing power; but in the actual condition of the European Establishments in India, the freedom which is advocated is only calculated to disturb the peace and harmony of the community, by subserving the purposes of private animosities and petty cavils; and to weaken the authority of Government, and promote discontent, by discussing the merits of public measures, for the conduct of which the Government is not responsible (as in England) to the community at large, and of which that community has not, and, under the existing system of the Indian administration, cannot have the means of judging, because precluded from access to the records, and the deliberations of the governing power, in political, military, judicial, fiscal, or any other concerns of state, or to the sources of its information relative to events and transactions within the limits of its controul and cognizance.

" The honourable proprietor has totally overlooked that part of my letter in which I quoted the recorded resolutions of the Governor-General in Council, the Marquis of Hastings and his colleagues, in support of the view of the question which I have taken. Why he has omitted to notice this material part of my address, he best can tell. That high

authority, so far from advocating the Freedom of the Press in India, has positively prohibited animadversions on the measures and proceedings either of the Authorities at home, or of the Local Governments abroad : it has strictly prohibited discussions having a tendency to create alarm or suspicion among the native population, of any intended interference with their religious opinions or observances, and has even forbidden the republication of passages in newspapers from England, coming under any of the preceding heads. These restraints on the Liberty of the Press were established at the moment when the Censorship, the regulations for the guidance of which, I am credibly informed, were *less restrictive* than those which have superseded them, was (for other reasons than those assigned by the honourable proprietor) abolished.

“ I am sure the honourable proprietor will not deem me very pertinacious or unreasonable, when I continue to maintain an opinion which is thus practically supported by the highest British authority in India, in opposition to his. I have only to add, that with this letter, the correspondence will close on my part.

“ I remain, Sir, your very obedient servant,
“ AN OLD INDIAN, AND PROPRIETOR OF EAST-INDIA STOCK.”*

“ *To the Editor of the Asiatic Journal.*

“ **SIR:**—The friends of the Asiatic Press have no longer to contend with the *Old Indian*: he has abandoned the conflict; yet, still stubborn to his principles, his last words were for despotism. He tells us that the ‘ Indian

Government is not responsible to the community' for its acts; but I hold that, as the public good is the only legitimate end of government, it should be every where accountable to the people for its conduct. 'When,' he observes, 'a constitution shall be established in India, such as has been the growth of ages in England; when a public shall have been formed in that country corresponding in its nature with a British public, then let the Press be free.' In this sentiment I concur, but would, in the mean time, have it free, to produce this result. The *Old Indian* reasons like that fond granny, who would not allow her son to bathe, till he could swim. If the people of India are to enjoy no means of education, and to have no Free Press, and none of those institutions which were the sources of our advancement, till they shall arrive at *Utopian* excellence, then I fear that 'even the work of ages' will not suffice to effect the object, unless, indeed, a miracle be wrought in their favour; whereas, with such powerful aids, the work will be wonderfully accelerated. Here, too, it may be well to remind the *Old Indian*, that the liberties of England are not of a date so modern as he seems to imagine; however encroached on by tyrants, they are our old inheritance. We have for them a title more ancient than *Magna Charta*; for amidst the rigours of justice, Alfred preserved the most sacred regard for the liberty of his people; and it is a memorable sentiment in his will, that it was just that the English should for ever remain free as their own thoughts. Hallowed be his memory!

"I am accused of having overlooked the restrictions imposed on the Press. This charge I answer by referring the *Old Indian* to pages 159—161 of your Journal for

August last.* There I have spoken of these restrictions as calculated to paralyze the liberty of writing, but have proved that they have never been acted upon; and that a degree of licentiousness has prevailed, such as was never tolerated in England; for at no period could a writer in this country have with impunity accused the Chief Magistrate of having been accessory to *murders*. But what of this?—Can slanders injure the pure fame of Hastings? No. Let his conduct be scrutinized by our statesmen and our chroniclers; let every action of his administration be known; probe him deep, countrymen, and you will find him, like a British oak, sound to the heart. The fact is, that the restrictions were composed to conciliate the powerful enemies of freedom, and thereby to secure to Asia the *permanent* benefit of a Free Press. Lord Hastings's abolition of the base Censorship; his answer to the Madras Address,† a paper of much later date than the restrictions; the free spirit discovered in every day's newspaper; and, indeed, the whole tenor of his Lordship's administration, prove his sincere attachment to a Free Press. Should it still be objected, that there is an inconsistency between the restrictions and the answer to the Address, I reply that there is a seeming inconsistency of words, calculated, however, to secure a consistency of action, for the furtherance of a noble end—the improvement and happiness of millions.

“ Having answered the *Old Indian*, permit me now to make a few remarks on a letter from *Carnaticus*, an avowed friend of despotism. ‘ We must view,’ says he, ‘ our organization of government in India, in all its branches, as more appertaining to a system of martial rule or law,

* See *supra*, pp. 58—59.

† See *ibid.* pp. 32, 33.

than to any other form of government.'† Now this is certainly a very melancholy prospect; for martial law is avowedly the worst species of government; it is, in fact, no law, but the tyrannical will of the strong, and should never be resorted to but in cases of extreme necessity. If, as I apprehend, *Carnaticus* means military law, that again is said by a crown lawyer to be 'no law. 'It is built,' says Blackstone, 'upon no certain principles, but is entirely arbitrary in its decisions, and is in truth no law, but something indulged rather than allowed as law.' Yet military law here is indisputably authorized by an act of the legislature; and as it comes yearly under the review of Parliament, it should be the most perfect of their edicts. Be it so or not, military law is undeniably better than martial law. Still I think, good *Carnaticus*, that out of your Shastres and Khoran, and our Acts of Parliament and Regulations, and the vast heaps of commentaries of Pundits and Cauzees and Doctors, a somewhat better code might be produced. At all events, a few intelligent and virtuous Europeans and Asiatics might, from these thousands of volumes, from all this 'essence of reason,' abstract a code that would be more pleasant to read, be better understood, and less subject to be perverted by the sly arts of learned civilians. Besides, I have always been taught that our power consisted more in the justice of our rule, than in our physical strength. 'If, in the pride of power,' observes Malcolm, 'we ever forget the means by which it has been attained, and, casting away our harvest of experience, are betrayed by a rash confidence in what we may deem our intrinsic strength, to neglect those collateral means by which the



fabric of our power in India has been supported, we shall with our own hands precipitate the downfal of our authority.'* 'What,' asks *Carnaticus*, 'would be the consequence of the establishment of a printing-office in a camp, for the promulgation of strictures upon the Chief Commander?' &c. And he then very properly answers himself, by saying, that 'no prudent commander would hesitate in getting rid of a nuisance pregnant with so much danger.'* But who besides *Carnaticus* can imagine that our Government could long exist, if India be regarded as a camp, and martial law be commensurate with our reign?

"What! may we attack in print and in writing our civil magistrates and collectors; arraign the conduct of our judges and our military chiefs with impunity?'† Yes, *Carnaticus*, so you do them no wrong. You think it would be dangerous to allow these great personages to be attacked by the Press. Would it not be far more so to let them govern like Bashaws, without an adequate controul? Remember, 'Man, of all living things, is most able to hurt man, and, if left to his own furious passions, the most willing.'‡

"*Carnaticus* has compared the Madras Meeting of 1809 to that of 1819. The former was a deliberative military assembly; the latter, a meeting convened by the Government for the purpose of congratulating the Marquis of Hastings on the measures of his administration.§ The venerable and learned Judge of the Adawlut Court presided at the Meeting. The question was moved by the Advocate, or Attorney-General; a Committee to

* *Asiatic Journal*, XII. 341.

† *Ibid.* p. 343.

‡ *Puffendorf*.

§ See *supra*, p. 12.

prepare an Address was then named by the Chief Justice of the Adawlut; it consisted, among others, of the present Chief Secretary, the Hon. Company's Advocate, and the Adjutant-General. These great officers of state scrutinized, corrected, and sanctioned the Address, in which they applauded Lord Hastings for the diffusion of education, and the abolition of the Censorship. To compare the Meeting, therefore, of 1809 with that of 1819, serves but to shew that poor *Carnaticus* is not quite well. He might as justly have compared a hawk to a hand-saw.

"*Carnaticus* has discovered, that 'in the unbecoming strictures and controversy between the late Governor of Madras and some of the Advocates of the Governor-General in Calcutta, a spirit and temper of the Press quite unknown at any former period in India, evinced itself throughout every part of the country. It was not merely simple comment, or animadversion of any particular act of the one or the other, but meetings were held with the public and open avowal of asserting the Freedom of the Press.'* Well, and what PRACTICAL EVIL arose out of this spirit and temper? Have you no case to adduce? You and the *Odd Indian* have ransacked your learned brains: you have asserted largely; you have grafted error on fact, to give it the semblance of truth; but not a single instance have you been able to conjure up against the Asiatic Press. Go, lay your case before the Inquisition. Go, consult with the Grand Inquisitor of the Holy *Constitutional Association*, and the Fathers in pious conclave assembled; and, assisted by their new lights,

endeavour to crush in Asia the rising spirit of improvement.

“ One word more: much has been said against anonymous writers, and those, too, who fight under false colours. I must, however, say, in defence of the *Old Indian*, and of *Carnaticus*, that they have acted with a sort of cautious prudence, in not affixing their English names to sentiments so foreign to the character of Britons.

“ I am, Sir, your most humble servant,

LEICESTER STANHOPE.

“ *London, 15th October, 1821.* *

The worthy *Old Indian* read the letter, replied to it by a graceful shrug of his venerable shoulders, wrapped himself in the mantle of his dignity, and walked off in stately silence.

* *Asiatic Journal*, XII. 429—431.

SECTION X.

Summary Transportation without Trial.

“The effects of barefaced prerogative are not the most dangerous to liberty, for this reason — the alarm they give is commonly greater than the progress they make; and whilst a particular man or two are crushed by them, a whole nation is put on its guard.”—*Oldcastle.*
(Lord Bolingbroke.)

By the 53rd of Geo. III., the Authorities in British India may send home any person to the United Kingdom without being afterwards obliged to prosecute the offender.

Mr. Buckingham having offended the Government by inserting in his Journal attacks on the Governor of Madras and on the Bishop of Calcutta, was *threatened* to be sent home.

The attack, so much complained of by the Honourable H. Elliott, and for which he demanded redress, was a mere ephemeral effusion, a squib that would have hissed for an instant and expired, had he not, by endeavouring to suppress the harmless sparks, occasioned an explosion. A man of heroic spirit alarmed at a little light and noise, resembles the mad elephant in fight, whose firm nerve nothing can shake but a squib, at the sight and sound of which he races off, runs his head against walls or trees, and loses all his usual courage and sagacity. The matter objected to is as follows :

“*Madras.*—We have received a letter from Madras of the 10th instant, written on deep black-edged mourning post of considerable breadth, and apparently made for

the occasion, communicating, as a piece of melancholy and afflicting intelligence, the fact of Mr. Elliott's being confirmed in the government of that Presidency for three years longer!!

" It is regarded at Madras as a public calamity, and we fear that it will be viewed in no other light throughout India, generally. An anecdote is mentioned in the same letter regarding the exercise of the Censorship of the Press, which is worthy of being recorded, as a fact illustrative of the callosity to which the human heart may arrive; and it may be useful, humiliating as it is to the pride of our species, to shew what men, by giving loose to the principles of despotism over their fellows, may at length arrive at.

" It will be in the recollection of our readers, that a very beautiful and pathetic letter from the late lamented Princess Charlotte to her Mother, written just previous to her death, was printed in the Calcutta Journal about a month ago. This was much admired at Madras, as it had been here; and the editors of the public prints there, very laudably desiring to add every possible interest to their columns, had inserted this letter, but it was struck out by the pen of the Censor, (whom the public of course exonerate, since it is known to all by whom it is necessarily directed,) and the only reason that could be assigned for its suppression was, that it placed the character of the Princess Charlotte, and her attachment to her Mother, in too amiable a light, and tended to criminate, by inference, those who were accessory to their unnatural separation, of which party the friends of the director of the Censor of the Press unfortunately were! !" *

A letter having appeared in the Calcutta Journal which

* "Summary Transportation," pp. 17, 18.

put the Bishop *in a huff*, his Lordship peremptorily called on the Government to enforce their restrictions on the Press, and the Chief Secretary was in consequence directed to write a threatening letter to the Editor. When intelligence of these *threats* reached England, the Press accused the Marquis of Hastings of inconsistency and oppression. *Philo-Indianus* was among the first to attack the Noble Lord and his *loud applauders at Madras and at the India-House*. He thus addressed the Editor of the *Times*:

“ *To the Editor of the Times.* ”

“ **SIR,**

“ By the late arrivals from India, I have received copies of an important correspondence between the Chief Secretary of the Governor-General in Calcutta, and Mr. Buckingham, the Editor of the *Calcutta Journal*, which I am anxious to bring before the public, that a fair opinion may be formed of the present situation of the public Press in India.

“ In consequence of a letter which appeared in the *Calcutta Journal*, in June last, ‘ On the Duties of Chaplains,’ the Chief Secretary, Mr. Bayley, called upon the Editor, by order of the Government, to state ‘ the name, designation, and residence of the individual by whom the letter was communicated,’ as it appeared, in the opinion of the Governor-General, to contain insinuations extremely disrespectful to the Lord Bishop of Calcutta.

“ The Editor, in answer, informed the Secretary that the author was unknown to him, and that consequently he could not furnish the information required.

“ On the 17th of July, the Editor received a letter which concluded with the following words:

“ ‘ I am thence, Sir, instructed to give you this intimation: should Government observe that you persevere in

acting on the principle which you have now asserted, there will be no previous discussion of any case, in which you may be judged to have violated those laws of moral candour and essential justice which are equally binding on all descriptions of the community. You will at once be apprised that your license to reside in India is annulled; and you will be required to furnish security for your quitting the country by the earliest convenient opportunity.

“ I am, Sir, your obedient Servant,

“ (Signed)

“ W. B. BAYLEY, Chief Secretary to Government.

“ Council Chamber, July 17, 1821.”

“ The Editor endeavoured to excuse and to justify his proceeding in a letter addressed to Mr. Bayley, which concluded with the following words :

“ I beg you will further assure his Lordship in Council, that if the laws of my country are to be my future guide, I shall bow to the decisions of its tribunal with all due respect; if the written and defined restrictions issued on the removal of the Censorship be made my rule of action, I will endeavour as faithfully to adhere to them; even if the Censorship be restored, I shall still acquiesce in the common submission exacted from all, by a power which, whether legally or illegally exercised, no individual like myself could hope successfully to resist.

“ But if so severe a punishment as banishment and ruin is to be inflicted on a supposed violation of the laws of moral candour and essential justice, of which I know not where to look for any definite standard, I fear that my best determinations will be of no avail. My path will be so beset with dangers, that I know of no way in which

I can escape the risk of such supposed violations—when those who are at once to be both judges of the law and the fact, may at the same moment make the accusation, pronounce the sentence, and carry it into execution—except by relinquishing entirely an occupation thus environed with perils, from which no human prudence could ensure an escape.

“ I have the honour to be, Sir,

“ Your most obedient Servant,

“ (Signed) “ J. S. BUCKINGHAM.

“ *Calcutta, July 27, 1821.*”

“ On the 10th of August, the Editor received the following and final reply :

“ SIR,

“ I am directed by his Excellency the Most Noble the Governor-General in Council, to acknowledge the receipt of your letter of the 27th ult., and to inform you that the letter in question has produced no change in the sentiments and resolutions of Government, already communicated to you on the 17th ult.

“ I am, Sir, your obedient humble Servant,

“ (Signed)

“ W. B. BAYLEY, Chief Secretary to Government.

“ *Council Chamber, Aug. 10, 1821.*”

“ It is not long since a proposition was made in the Court of Proprietors at the India House, on the subject of the Freedom of the Press, when the Marquis of Hastings was eulogized, as he had been at Madras, at a public meeting on the 1st of May, 1819, as the liberator of the Press, and the devoted supporter of liberal and public discussion.

“ *Let these loud applauders of the Noble Marquis, both*

at Madras and at the India House, come forward, as they are bound to do, and either recant their misapplied praises, or defend such threatened, and some may say illegal, summary proceedings towards the editor of a public journal.

“When men act on honest and sound principles, they seldom commit themselves in speeches at one time which are at variance with their acts at any other time.

“How far the Noble Governor-General has so conducted himself, is for you and the public to judge; and in order to enable you to do so, I request your attention to the following extract from the Marquis of Hastings’ answer to the Address of the Public Meeting held at Madras on the 1st of May, 1819; and I request the admirers of the Noble Marquis to reconcile the consistency of principle in his correspondence with the Editor of the *Calcutta Journal*, and in the extract from his answer to the Madras Address :

“One topic remains. My removal of restrictions from the Press has been mentioned in laudatory language. I might easily have adopted that procedure without any length of cautious consideration, from my habit of regarding the freedom of publication as a natural right of my fellow-subjects, to be narrowed only by special and urgent cause assigned. The seeing no direct necessity for those invidious shackles, might have sufficed to make me break them. I know myself, however, to have been guided in the step by a positive and well-weighed policy. If our motives of action are worthy, it must be wise to render them intelligible throughout an empire, our hold on which is opinion.

“Further, it is salutary for supreme authority, even when its intentions are most pure, to look to the control of public scrutiny; while, conscious of rectitude, that au-

uthority can lose nothing of its strength by its exposure to general comment. On the contrary, it acquires incalculable addition of force.

“ That government which has nothing to disguise wields the most powerful instrument that can appertain to sovereign rule. It carries with it the united reliance and efforts of the whole mass of the governed. And let the triumph of our beloved country in its awful contest with tyrant-ridden France, speak the value of a spirit to be found only in men accustomed to indulge and express their honest sentiments.”

“ Being as decided an enemy to the licentiousness of the Press as I am a warm friend to its freedom, I hope the public will attentively weigh the consistency and principle of one who professes at one time to venerate ‘ freedom of publication as a national right of Englishmen,’ and at another time threatens to transport an editor, without trial, for exercising that freedom of publication. The laws of libel in India are the same as the law of libel in England. It is a very serious evil to any man to be summarily transported, without trial, from his occupation and connexions.

“ The Marquis of Hastings proposes so to treat the Editor contrary to his own public declaration, and, I contend, contrary to the British law, which he ought to respect; and I would add, if he is at present all-powerful, he should be merciful.

“ PHILO-INDIANUS.”

“ *To the Editor of the Times.*”

“ SIR,

“ In *The Times* of yesterday, ‘ PHILO-INDIANUS,’ not very reasonably, considers the advocates of the Asiatic

Press as bound to defend the conduct of the Governor-General on every occasion of interference with its freedom. It appears that, in July last, Mr. Buckingham was officially threatened with banishment for an attack published in his Journal on the Lord Bishop of Calcutta. I, for one, scruple not to declare, that, however provoking, irreverent, graceless, or slanderous, the paragraph, I entirely disapprove of the threatening; not, indeed, as illegal, for the 53rd of Geo. III. warrants a peremptory order of banishment from India against any, except Natives; but because I condemn the exercise of a bad power, however it may have been lawfully administered, or, in the case alleged, justly deserved.

" To imagine that despotic power can be safely entrusted to any man, even to one eminent for public virtue, is an error demonstrated by all experience. An additional and striking proof of this has recently occurred under the Madras Censorship. The Governor, Sir T. Munro, is distinguished for probity, talent, vigour, and an especial regard to the welfare of the Natives. The office of Censor he entrusted to Secretary Wood, a person of some ability and great industry. With this intrinsic merit, the Censor has the good fortune to be connected with Lord Londonderry, and is a candidate for a seat in council. Now, under the controul of these great officers of state, the Madras Press has been guilty of an injustice, such as never was and never could have been perpetrated by a Press indulged with the most licentious freedom.

" The melancholy story of Caroline Queen of England is in every one's recollection. Men have differed as to her character. Some have thought her guilty, some persecuted, some innocent; but who would have believed

that, a Government, famed, too, for its wisdom, could have suppressed the Queen's defence, and have authorized the publication of all that tended to debase and to criminate her? Such, however, has been the conduct of the Madras Censor. He allowed the Queen of England to be defiled with all the licentiousness of a Free Press, and he stifled her defence. Never, I repeat, could a Free Press be guilty of such partiality—such monstrous injustice. Did the Censor imagine that this conduct could recommend him to his Sovereign? Was he so ignorant as not to know that the King of Great Britain presides over the administration of justice? Or so ungenerous, or so wicked, as to imagine that his Majesty would allow his worst enemy to be condemned without a full hearing? No, Censor! you are reputed an honourable man, and must be acquitted of such a design.

“ The Calcutta Press has been usually charged with having carried to licentiousness the liberty obtained by the abolition of the base Censorship; and Mr. Buckingham is always named as having exercised this freedom to the greatest extent. Compare, however, this gentleman's indiscretions with the licentious wickedness of the Censorship at Madras. Contrast the conduct of the free with the shackled Press, in the case of the Queen. Nor let it be forgotten by the Lord Bishop of Calcutta and others, that the Marquis of Hastings, whose politics are founded in pure philanthropy and religion, has been accused even of having been accessory to murders, in the *Madras Gazette*,* then under a Censorship as rigid as was ever exercised by the Inquisition.

* See *supra*, pp. 57, 58.

"To conclude: my argument is designed to prove, that neither the most infallible of Censors, nor the wisest friend of freedom, should be entrusted with arbitrary power.

"I am, your most humble servant,

"LEICESTER STANHOPE.

"London, Jan. 29."

Let us now compare a Press where no previous restraints on publication exists, and a Censorship. The latter may suppress any matter, however beneficial, and sanction the publication of any matter, however hurtful, to the public interest. The former can, in the first instance, suppress nothing. It may threaten, prosecute, or, under the sanction of a bad law, may send men home; and thereby check and retard the beneficial influence of free discussion; yet, notwithstanding this dangerous power, the Press during the last six years has enjoyed a large portion of freedom. A citizen has, indeed, been *threatened* and prosecuted; but the superstition and despotism of ages are tottering to their fall, and millions of men have been advanced in civilization.

SECTION XI.

Vote of Thanks to the Marquis of Hastings at the India-House.

“ The best of our resolutions are bettered by a consciousness of the suffrage of good men in their favour.”

On the 29th of May, 1822, the Court of Proprietors met for the purpose of deliberating, and passing their judgment, on the conduct of the Marquis of Hastings, in the exercise of his high office of Governor-General of British India. On this occasion I attempted to call the attention of the Court to the two marked features of his administration, namely, the general diffusion of education and the establishment of a Free Press. The connexion between these subjects is so close, that they cannot be well separated. I add the substance of what then occurred to myself and other proprietors.

“ Col. STANHOPE. They were met here for the purpose of freely and boldly discussing the conduct of the Marquis of Hastings’ government and passing their judgment on it. Having been acquainted with that Noble Lord from his infancy, having traversed the wide seas with him, and lived long under his roof, and under his government, he should know something of his private and his public character. They had heard, indeed, that eminent men were most admired at a distance: hence, it had become a piece of kingcraft, or of priestcraft, to keep those exalted personages from the public view. Was this wisdom? He knew not; but this he did know, that the Noble Lord was not of that stamp. He was

most admired by those who knew him best. There were no hidden vices lurking about his bosom. Neither intimacy, nor passion, nor adversity, nor exaltation, that sad corrupter of the human mind, could lead him from the plain path of duty. He might throw wide open the portals of his heart without reserve, and secure the esteem of the rigid moralist or the stern patriot; his whole ambition was to do good, and his pleasure seemed to emanate from that pure source. With Bolingbroke, he might say, ‘there are superior pleasures in a busy life, which Cæsar never knew; those, I mean, which arise from a faithful discharge of our duty to the Commonwealth. Neither Montaigne in writing his essays, nor Des Cartes in building new worlds, nor Burnet in fancying an antediluvian earth, no, nor Newton in discovering the true laws of nature, and a sublime geometry, felt more intellectual joys than he feels, who bends all the force of his understanding, and directs all his thoughts and actions to the good of mankind.’—

“ Col. Stanhope said he would next speak of Lord Hastings’ civil administration. The very name of Hyderabad was associated with every thing that was corrupt and vicious in government. The system of extortion and oppression that had been long carried on in that state—a state, he blushed to say, under British protection—was a foul blot on our character. This stain had, however, been partly expunged by a late reform that had taken place there, under the judicious management of Mr. Metcalf, a benevolent and able man. Col. Stanhope would go deeper into the matter, and display anarchy in her frightful form, but that he had reason to believe that the Court of Directors had acted towards this suffering state as became a high-minded government.

" He would now call the attention of the Court to the liberal principles which distinguished Lord Hastings' administration, the great feature of which was the diffusion of knowledge through the medium of education and a Free Press. By these great acts he had laid the strong foundation of permanent good government. The Hindoo superstition, the growth of thirty centuries, and that horrid despotism which had risen up with it, had now to contend with knowledge, which must triumph over error. 'For the commandment of knowledge,' says Bacon, 'is still the commandment over the will, for it is a commandment over the reason, belief, and understanding of a man, which is the highest part of the mind, and giveth law to the will itself; for there is no power on earth which setteth up a throne in the spirits and souls of men, and in their cogitations, imaginations, and opinions and beliefs, but knowledge and learning.' He must repeat, that it was impossible that gross superstition and despotism could exist where education and a Free Press prevailed; discussion must soon drive from the Hindoos' mind their 48,000 *richi*, or great prophets, and their 30 millions of gods.

" Col. Stanhope would now notice certain great evils that prevailed under the theocracy of Indostan, and would endeavour to prove that they could only be removed by means of education and a Free Press. The Hindoo society was divided into castes, which was the greatest barrier to good government. Most of the productive, the labouring classes, the great source of wealth and power, were accounted vile and odious, unworthy to eat, drink, or sit, with a member of the classes above them. He mentioned this on the authority of Mr. Mill, an able and honest historian. The women, who composed

one-half of this vast community, were debased, and kept in a sort of slavery. None but a Brahmin was allowed to read their Scriptures, so that the great mass were kept in a state of ignorance concerning their religion. Falsehood was universally practised, and perjury, which prevailed in all our courts, to the perversion of all justice, was, in some instances, sanctioned by law. A considerable portion of our subjects were consigned to slavery, and numbers of girls, born free, were sold, and bred up as prostitutes in the pagodas. There were many hundreds of women who burned themselves every year, while thousands of sick men were yearly drowned in the sacred rivers, and these were all British subjects!

"To destroy this vile superstition, and to promote the pure worship of God, were the professed objects of all Mahomedan and European Governments. Yet what was the system they pursued? Mahmoud vowed to convert by force the whole Hindoo race. In twenty years he invaded Indostan twelve times, and spared neither age nor sex. Tippoo, though far excelled by Mahmoud in talent, was his rival in cruelty. He endeavoured to extinguish the Hindoo worship; he conquered many Hindoo nations, and made them slaves; he compelled them to eat beef broth, and to be circumcised. He threw down 8,000 of their idol temples, and left only two standing in his dominions. Still idolatry and polytheism flourished. The Portuguese set up their Inquisition at Goa; they persecuted the Mahomedans, the Hindoos, and the Syrian Christians. The latter, for thirteen centuries unmolested by the tolerant Hindoos, were called on to abjure their simple worship: they refused and fled to the mountains; the Censor, always standing aloof in guilt, caused their ancient and sacred

manuscripts to be burned. All this they did. In a word, the Portuguese exceeded the Hindoos in their vices, in their avarice, their superstition, and their bigotry; but were far outshone by them in virtue.

“ He would next consider the conduct of the missionaries. They had done much good by the example of their virtuous lives, by their moral preachings, by their schools, and other charities; they could, however, make no impression, unassisted by a Free Press. Ziegenbald, a Danish missionary, seemed, 100 years since, to have been fully aware of this. ‘ The Press being set up,’ says he, ‘ proves so advantageous to our design, that we have reason to praise the Lord for so helpful a benefaction.’ It was well known, that the vices of popery, the restoration of learning, and the invention of printing which diffused that learning, led to the reformation. Free discussion beat down the superstition of that day; and if the superstition which prevailed in Indostan was of a still grosser character, then the effects of discussion in this more advanced age would be proportionably great. All the efforts of the *Pagan* Christians were directed against the Press, because they knew it was incompatible with their interests and superstition. It was for this reason that the Censors of the Inquisition caused heaps of books to be burned, and large volumes containing lists of condemned works to be published. ‘ We must put down the Press,’ said Wolsey, ‘ or the Press will put us down.’

“ Col. Stanhope would next shew what had been done by Lord Hastings towards the establishment of education and a Free Press. Sir G. H. East, at the third Annual Meeting of the School Book Society, observed, that ‘ when he first arrived in the country, any attempt or wish to

improve the moral and intellectual state of the people was confined to whispers ; the Natives were said to view all such endeavours with jealousy, and the members and officers of Government, collectively, were afraid to come forward in the cause. But, during the short period which has since elapsed, how striking was the progress of events towards the attainment of this end, and the accession of fresh advocates in the cause, at home and abroad ! It was indeed the great glory of Government to forward such plans and objects. Contrasting, then, the silent whispers of the few who first manifested their disposition to promote the mental and moral improvement of the Natives, with the concurrent feelings avowed and manifested from the highest to the lowest ranks toward this end, it was an event, he confessed, of so unlooked-for and surprising a nature, as satisfied him that the institution was thus prospering, because it was favoured with the blessings of the Almighty.'

" Col. S. then read the following judicial minute by Lord Hastings, dated on the Ganges, 2d of October, 1815 : ' In looking for a remedy to these evils, the moral and intellectual improvement of the Natives will necessarily form a prominent feature of any plan which may arise from the above suggestions, and I have therefore not failed to turn my most solicitous attention to the important object of public education. As the public money would be ill-appropriated, in merely providing gratuitous access to that quantum of education which is already attainable, any intervention of Government, either by superintendence or by contribution, should be directed to the improvement of existing tuition, and to the diffusion of it to places and persons now out of its reach. In the infancy of the British administration in this country, it was

perhaps a matter of necessity to confine our legislation to the primary principle of justice. The lapse of half a century, and the operation of that principle, have produced a new state of society, which calls for a more enlarged and liberal policy. The moral duties require encouragement; the arts which adorn and embellish life will follow in ordinary course. It is for the credit of the British name that this beneficial alteration should arise under British sway. To be the source of blessings to the immense population of India, is an ambition worthy of our country. In proportion as we have found intellect sterile here, the obligation is the stronger on us to cultivate it.' Also the following minute, dated May 4th, 1821: 'His Excellency in Council accordingly commands me to inform you, that the Sub-treasurer will be authorised to place at the disposal of the Treasurer of your Society the sum of seven thousand rupees, and to pay to his order monthly the sum of five hundred rupees, commencing from the 1st instant. The above donation and allowance, however, must be subject to the confirmation of the Honourable the Court of Directors.' Col. Stanhope had no doubt, from the liberal character of that Honourable Court, that they would confirm the grant. With respect to the extent of education, there were in Calcutta one hundred and eighty-eight schools, at which upwards of four thousand children were educated. He must not omit to mention, that several girls were educated at these seminaries, though widowhood was denounced against any woman who should read the alphabet. They must be aware, no doubt, that schools had been established in Indostan from time immemorial. In the Hindoo schools, however, they had no books of instruction, but such as treated of their gods, and which

inculcated lessons of immorality, superstition, and despotism. Hence a bad education had proved a curse, as a good one must prove a blessing to Indostan. Thus he had demonstrated that virtuous education, on a large scale, was first promoted by Lord Hastings.

"Col. Stanhope would now speak of the Free Press established by Lord Hastings: an act that must eventually destroy the superstition and despotism of thirty centuries; an act of such importance, that he defied any one to point out that individual who had effected any measure calculated to produce so much benefit to mankind. It had been said, indeed, that Lord H. had broken in upon that freedom, by threatening Mr. Buckingham with banishment. He admitted it, and would not condescend to mitigate this act, by commenting on Mr. Buckingham's indiscretions, or by representing them as calculated to injure the Press, or by comparing this threat, these mere words, with the acts of former Governments. Besides, were he to speak of Mr. Buckingham's errors, he should think it his duty also to mention his great talent and rare merit. Lord Hastings had been censured for bringing a criminal information against Mr. Buckingham, or, in other words, for putting in force a law in Hindostan against Mr. B., to which every man was subject in this boasted land of freedom. Had not Cobbett, Horne Tooke, Gilbert Wakefield, Burdett, and other eminent men, suffered under this law, and was Mr. Buckingham to be free from its influence? He wished to God he was. But what said Sir G. H. East, the Chief Justice? These were his words: 'The government of the country, with the advice and sanction of the authorities at home, had established that liberty, and he conceived that a Free Press, or the liberty of publication without a previous

Censorship, *was calculated to produce much good*. The licentiousness of the Press had been carried to an alarming excess at home: here it was necessary that it should be a great deal more guarded and cautious; and if this were done, and free discussions were carried on without public danger or injury to individuals, it might be one of the *greatest blessings*. But if, on the contrary, it was not exercised with temper and discretion, it might become a source of much mischief in a country circumstanced as this is; and be like throwing firebrands where gunpowder lay scattered around us.' Col. Stanhope here observed, that the sound of gunpowder in a court of justice was awful indeed: but analyze this powder, and they would find that it was composed of extortion and oppression; and the object of a Free Press was to destroy this composition. 'The surest way,' says Bacon, 'to prevent seditions, is to take away the matter of them: for if the fuel be laid, it is difficult to say whence the spark shall come that may set it on fire.' Suppose, said Col. S., that your government had become corrupt under despotic sway, and that the legions of Russia were on your frontier with a Free Press, directed by their cunning, and emitting sparks in all directions, what would be the consequence? Why, that you would be blown into another sphere. Col. Stanhope here observed, that Sir G. H. East, though a high Tory, and though he had been cruelly mauled by the Calcutta Press, was an avowed enemy to the Censorship. Mark, too, that he had expressed this opinion in a British court of justice.

"Col. Stanhope next referred to the opinion of Mr. Ferguson, the gentleman who was imprisoned for attempting, with Lord Thanet, the rescue of A. O'Connor, and who had

constantly been engaged against the Government in India. In his pleading in Mr. Buckingham's case, he said, 'In the extensive field which the Advocate-General had gone over, he had said there were not less than twenty libels, and he (Mr. Fergusson) did not mean to assert that there might not be libels or libellous matter in the passages he had in view; he admitted that many of them were indiscreet, imprudent, and even improper publications. That learned gentleman had told their Lordships, that it was three years since the boon of the Liberty of the Press had been bestowed on India. He would tell them, however, that it was three years since the restrictions formerly illegally imposed on that liberty had been removed by a statesman, and a friend of India, characterised by the liberality and magnanimity of his sentiments, who had thus conferred an inestimable blessing on this country, which would cause him to be remembered with gratitude by future generations; for if there was any one blessing likely to be more productive than another of great and lasting benefit to India, it was certainly that liberty of discussion, through the exercise of which every suggestion for its improvement and the advancement of its interests might be brought into the field of fair and open argument, and, if proved to be advantageous, adopted for the general good. He was ready to admit that the Liberty of the Press was subject to some evils, although he regarded it as the greatest blessing that could be conferred on society; but he knew of no boon that could be granted, which was capable of producing so many beneficial effects as this, by its bringing into discussion, and to the notice of the Government, an infinite number of subjects connected with the interests of this immense empire over which its sway extended, and with the

amelioration of the condition of our Indian subjects.' These passages were reported by Buckingham, and recorded in his journal.

" As an instance of the usefulness of the Press, Col. Stanhope would now mention a work lately published by a Native named Bruja Mohuna, on the Polytheism of the Hindoos, and which was in wide circulation. ' This work,' said an able critic, ' is argumentative in a high degree, interspersed with observations, which, for keenness of satire, would not have disgraced the pen of Lucian. But there is nothing more cheering than the frequent appeals this Brahmin makes to reason. It is long before mankind bring the errors of their ancestors to the test of reason. When this is done, the work of improvement is fairly begun!' The practical effects of the Press were strongly marked at the last festival at Jagernaut; there were so few pilgrims present there, that they were unable to drag the car. The Brahmins called in other aid. They then moved the car, but all their fervent eloquence could not persuade any one to be pounded to death under its ponderous wheels. They now talk of removing it to a more central situation: they may save themselves the trouble, for the Press once fairly at work, will drive it forth with a force superior to that of a steam engine.

" In the foregoing remarks, Col. Stanhope had endeavoured to prove that Lord Hastings had spread wide the seeds of a glorious reformation in Asia, and was entitled to rank in our annals as a *great public benefactor*. It might be said, that it was hazardous, dangerous, to undermine the venerable pillars upon which rested the Hindoo temple of superstition; but if it were thus dangerous, they must then cast aside all hope of converting

them to the simple worship of God : for neither could they destroy Hindoo superstition without discussion, nor could they establish Christianity there, without effecting one of the greatest revolutions that ever took place in the world ; a revolution that would change their mode of thinking, their manners and customs, their system of castes, their laws ; in short, the whole structure of their society. Here, then, he called upon the enemies of a Free Press to combat him on this field of argument. He contended that the *essence* of most religions consisted in morality, and in the worship of one God. He spoke especially of the followers of Zoroaster, of the Hindoo, Mahomedan, and Confucian religions ; and he asserted that education and a Free Press could not fail to chasten religion and manners in Indostan and in the surrounding world. In support of this argument, Lord Kaimes observed, ‘ that the Christian religion could not fail to prevail over Paganism, for improvement of the mental faculties leads by sure degrees, though slow, to the belief of one God.’

“ Let them hope that this great revolution which had been commenced by Lord Hastings, might be followed up by Mr. Canning. If, from a mind stored with knowledge, and replete with wit, could emanate the acts of a gloomy barbarian, involving Asia in ages of darkness, superstition, and despotism, might her historians speak of him with scorn, or might he never reach her shore. But if, as he (Col. Stanhope) believed, Mr. Canning had a heart to feel for her interests, then he should ever be as forward to join his fellow-citizens in his praise, as he had been to join them in praise of his great predecessor.

“ Col. Stanhope had only to state in conclusion, that he highly approved of the resolutions of the Honourable Court of Directors, and those proposed by the honour-

able proprietor. Col. S. then moved the following additional resolutions :

“ 1. ‘ That the thanks of the Court were due to the Most Noble the Marquis of Hastings, for the lasting benefit which he had conferred on British India, by numerous institutions founded for the instruction of all ranks and persuasions of people under his manly and enlightened government.

“ 2. ‘ That, in the opinion of that Court, the Marquis of Hastings had conferred a permanent benefit on British India, and the surrounding world, by the abolition of the previous Censorship, and the establishment of a Free Press, limited as all civil institutions should be, by mild and wholesome laws.’*

“ The resolutions were handed to the Chair, but as no member of the Court came forward to second them, they, of course, fell to the ground.

“ Mr. HUME said, he would endeavour, as shortly as he could, to bring back the Court to the subject that was really before it; for he was sure, and he would appeal to the honourable gentleman himself who had just spoken, whether he had not consumed a large portion of his own time, as well as of the time of the Court, in the discussion of a question which was not under their consideration. He did not mean to say that the topics which the honourable gentleman had introduced were of an indifferent nature: he felt that they were of great importance; but he appealed to his candour, whether they were met to-day to take into consideration the conversion of the Hindoos, or the freedom of the Press in India? The honourable gentleman would perceive, that he passed no opinion on the justice of his

* This speech was ill received by the Court.

observations; he merely thought they were not well-timed on the present occasion. At the same time, if the hon. gentleman thought proper, at any future period, to bring forward the subject of missions to India; if he thought fit to introduce a discussion on the conduct of those who were sent out there; if he wished to bring under the consideration of the Court the propriety of introducing the Christian religion, and the necessity of maintaining the Liberty of the Press; he (Mr. Hume) should be ready to avow and defend his opinions on those various topics. But he must say, as a friend to the honourable gentleman, that he thought he had not acted prudently by introducing all this irrelevant matter at the present moment.* His hon. friend (Mr. D. Kinnaird) had fallen into the same error; he had entertained the Court with animadversions on a speech of Mr. Canning, which had nothing to do with the present motion."—

"With respect to the conduct of the Noble Marquis, in relation to the Liberty of the Press, which had called forth so many eulogies, he gave the Noble Marquis full credit for what he had done. He never read, in any public speech, or public document, sentiments that did more honour to British feeling, than were to be found in the answer of the Noble Marquis to the Madras Address, on the subject of the Liberty of the Press.†—Such were the sentiments of the Noble Marquis on the Liberty of

* The Court met to pass their judgment on the measures of Lord H.'s administration. *Candour* will not allow me to suppose that, on reflection, Mr. Hume can regard the establishment of a Free Press in Asia, the education of millions, and their conversion to a pure worship, as topics *irrelevant* to the question then under discussion.

† Here Mr. Hume read a passage from this state paper. See *supra*, p. 32.

the Press. He spoke of it, not with reference to the Government of India alone, but with reference to every government that could lay claim to the principles of freedom; and he considered it a most valuable document, as it recorded the wise and liberal views of the Noble Marquis on this important subject. He regretted, however, that, in the case of Mr. Buckingham, the Noble Marquis had been induced to threaten that he would exert, against that individual, the authority which, as Governor-General, was placed in his hands; it was contrary to the fine feelings which usually actuated him, and it must have been some partial and temporary forgetfulness of that feeling which occasioned the correspondence that had occurred in Mr. Buckingham's case. He could not agree with the honourable proprietor (Col. Stanhope) when he said that the indiscretions of Mr. Buckingham excused the conduct of the Marquis of Hastings. (*No! no! from Col. Stanhope.*)

"The honourable proprietor had asked, whether the Noble Marquis was more to blame for taking those legal steps, which were open to every individual, than any other person would be? He (Mr. Hume) would answer, 'No.' On the contrary, if any thing injurious were written against the Government, it was his duty to have adopted legal steps. He would ever be found the supporter of the Liberty of the Press, but he would not be the advocate of its licentiousness. Public opinion, expressed by public writing, was an alembic, by the operation of which, sooner or later, truth would be extacted; but, for that purpose, it was necessary that discussion should be general, not partial. The previous correspondence, in the case of Mr. Buckingham, he disapproved of; it shewed, as he might be allowed to express it, the *malus animus*, to open such a correspondence, in-

stead of at once directing the proper authorities to commence legal proceedings. But he did not think that the indiscretion which he had committed ought to be excused, as the honourable proprietor (Col. Stanhope) contended, on account of Mr. Buckingham's conduct. (No! no! from Col. Stanhope.) He was sure the Marquis of Hastings was sorry, from his heart, that he had so committed himself; if he could judge from the honourable sentiments which the Noble Marquis had so deliberately expressed, he could not entertain a doubt that, when he calmly reflected on his conduct, no man would be more ready to regret the course he had taken, than he himself would be. But it was right that, as in this great country, the law should in all cases supersede arbitrary authority; therefore he condemned the making use of any threats. And here it would not be improper to observe, that the hostility which was manifested before the proceedings at law took place, was very little to the credit of their civil officers. His honourable friend (Mr. D. Kinnaird) had praised, with much truth and propriety, the talents and virtues of their civil servants generally. He (Mr. Hume) had frequently borne his testimony to their merits; but, he regretted to say, that some of their civil servants at Calcutta had lent themselves as parties to the establishing of an abominable paper, called *The John Bull*, for the purpose of putting down Mr. Buckingham; but in that object they had completely failed. It was unworthy of public men to have recourse to such base means. He would have the Press free and unfettered, leaving its licentiousness to be dealt with by the law, convinced as he was that no public man need be afraid of its operation. Hoping that such conduct as that which, in the first instance, was made use of towards Mr. Buckingham,

would never be repeated, he considered it as but a speck on the general merits of the Marquis of Hastings, a speck too diminutive to divert their attention from the glorious career he had run. He trusted that his successor, benefiting by the few errors into which he had fallen, would take care to avoid them; and happy he was to say, that fewer errors could be alleged against the Noble Marquis, than against any former Governor-General. He agreed in the main body of the resolution, because he thought the Noble Marquis deserved their thanks for the manner in which he had performed his various and most arduous duties; he thought, indeed, that he deserved the thanks of the country, and he hoped he would receive them.

“ Col. STANHOPE, in reply to Mr. Hume, said, that the honourable proprietor had misrepresented him, by stating that he had approved of Lord Hastings’ having threatened Mr. Buckingham. He (Col. Stanhope) would not entrust arbitrary power to any man; no, not even to a Cato. He had most expressly stated, that he entirely disapproved of that threatening. As to the other accusation that the honourable proprietor had made against Lord Hastings, relative to the Liberty of the Press, he would confute him in the words of Mr. Buckingham, who, in his Journal of April 1821, says, ‘ Whatever may be well-authenticated to us, we will gladly notice, persuaded that the Government are as desirous of that use being made of the Press as the community can be: for this is one of the few governments in the world where the interests of the governors and governed are one and the same, and where not only the maxim is avowed in theory, but, as far as exertion can effect it, is reduced to practice.’

“ Mr. LOWNDES had heard, with great pleasure, the speech of the honourable proprietor, (Col. Stanhope,) be-

cause it had given him useful information with respect to India, and particularly as to the extreme ignorance of the people. He doubted, however, whether the introduction of the Press amongst them would be beneficial. The Liberty of the Press, he feared, did not much increase the virtues of the heart, and it might have the effect of eradicating those good qualities which the Indian population possessed, in a very high degree, beyond the comprehension of many who called themselves Christians, and of substituting vices in their room. He always understood that a more benevolent race of people did not exist than the people of India; and why should they introduce amongst them that which might give them a wrong bias, when nature guided them to a right one? Those people knew what was most conducive to their happiness; and, though less learned, they were more contented than those who enjoyed the Liberty of the Press; they were more contented in following the dictates of nature, than others were who pursued the fallacies of art. Well had the poet said,

‘ And reason raise o'er instinct as you can ;
In this 'tis God directs, in that 'tis man.’

Would they wish to occupy the place, in the bosom of the Gentoos, which was now the seat of virtue, by filling it with European vices? The Freedom of the Press in Europe, for the last thirty years, had not improved the morals of the people: why then should it be introduced in India? He could conceive no reason for complaining against the Marquis of Hastings for his conduct towards Mr. Buckingham. Had that individual resided in France when a certain modern *Richard the Third* bore despotic

sway there, instead of sending him to trial, as the Noble Marquis had done, he would have exclaimed,

‘Off with his head—so much for Buckingham!’

and they must all admit that no better way could be devised for preventing argument, than by cutting off a man’s head. He was happy to hear the eulogies that had been pronounced on the Noble Marquis for his mild sway and amiable humanity.

“Mr. R. JACKSON.—There was one point introduced in the course of the discussion, on which he was at issue with some of his honourable friends, and he was anxious that the question should come to a fair decision; he alluded to the danger that might be apprehended from what was called the Liberty of the Press in India. He loved the Liberty of the Press; he was nurtured and bred in the constitutional principle, that a Free Press was a great blessing; but, in his opinion, it was quite visionary to imagine that the Press of a colony * could be conducted, without danger, in the same free manner in which it was conducted in the mother country. As Mr. Buckingham had been alluded to, he would shortly notice his conduct. When the Marquis of Hastings had abolished the previous Censorship of the Press, he substituted certain regulations, one of which was, that the constituted authorities should be treated with respect. To shew how much this person regarded those regulations, he would read a word or two from his newspaper. When it was understood that the Governor of Madras, the supreme authority there, the highest authority after the Governor-

* India is not a colony.

General, was to remain in office, what did Mr. Buckingham do? He (Mr. Jackson) saw his honourable friend (Mr. D. Kinnaird) smile; and he owned his smiles rather alarmed him, because they indicated that he thought on this subject with some degree of levity. Mr. Buckingham, however, published his paper, with a broad black margin, as a sign of general mourning, when he announced that the supreme authority of that Presidency was to continue in power. In one of the numbers of his publication there was the following passage: 'The very marked indulgence which his Lordship in Council is pleased to exercise towards me, in remitting on this occasion the exercise of the power vested in him by law, will operate as an incentive to my future observance of the spirit of the instructions, issued before the commencement of the Calcutta Journal, to the editors of the public prints in India, in August 1818, of which I am now fully informed, and which I shall henceforth make my guide.' A little afterwards, when Mr. Buckingham had forgotten the observance of these resolutions, he said, alluding to a speech of the Marquis of Hastings, in which he spoke generally of the Press, 'Every thing tends to confirm me in my opinion, that I had rightly interpreted the wishes and sentiments of the Governor-General on this important subject, and scarcely a day passed *without my breaking the letter of these regulations, which I conceived to have no longer existence.*' Here Mr. Buckingham founded his law on a supposed construction of the speech of the Noble Marquis, leaving out of sight that which was the real rule of conduct laid down, namely, the declaration of the Governor-General in Council. He then went on to own, that 'scarce a day passed without his breaking the letter of those regulations.' He first promised profound obedience to those regulations, and next declared that he broke

them every day, although it was supposed that the peace of that society depended on their being strictly adhered to. The advocates for a Free Press in India might be right, and he might be wrong; but all must agree that it was a most serious question. By a legislative enactment, it became the duty of the Company's chief servants in India, when they found that the conduct of any unlicensed individual was dangerous to the safety, or obnoxious to the peace of the community, to send that individual to some port in the United Kingdom. Now, what was the accusation against the Marquis of Hastings with regard to Mr. Buckingham? It was, in fact, that he did not make use of the power which he might have exercised towards him: but, instead of sending him home, (and in not doing so, many persons thought he allowed his feelings to outrun his judgment,) he sent him to take his trial before a jury of his country. Could any man act more liberally? And yet fault was found with him even for this! If so extensive a Liberty of the Press as that now contended for were granted, he feared that they ran a most dangerous risk. If, instead of acting in the summary way directed by the legislature, they were obliged to wait proceeding according to the legal forms observed in the parent state against those charged with libel, they would be giving opportunities to mischievous individuals, during the five or six months which must elapse before they could be brought to trial, to poison and pervert every mind in the settlement; and Calcutta, Madras, and Bombay, would have their crops of Carliles to write down the most hallowed principles of the country. It was, therefore, a matter of sober and serious consideration, when persons who, like Mr. Buckingham, let their pens run riot against all characters and all persons, political and religious, (for he had not spared the Lord Bishop of

the ~~President~~ (Dr. B. H. Jackson) whether ~~any~~ ~~such~~ ~~an~~ opportunity should be allowed for practices so dangerous in any, but particularly in a colonial community? It would be for the Directors soon to determine what should be the measure of the Liberty of the Press in Calcutta. It might turn out that his honourable friends, who were so perfectly satisfied with their own opinions, and who thus expressed their feelings with no ordinary energy of voice and gesture, would in the end, if the system were encouraged, perceive that they had formed a hasty and erroneous judgment. Instead of crying, 'Hear, hear!' he had expected that they would adduce something like argument, something like historical deduction, in support of their sentiments. He was ready to meet his honourable friends on this question whenever they pleased; and he hesitated not to say, that, if a strict eye were not kept on the Press in India, they would there have literary incendiaries spring up like mushrooms, to the manifest hazard of their best interests, as well as the comfort and happiness of their settlements. Col. Stanhope looked to the Liberty of the Press for putting down forty-eight thousand prophets; now he would, in the tone of admonition, call on the honourable gentleman to take care that he did not, at the same time, put down the forty-eight thousand Europeans which maintained India for their country. If his honourable friend was anxious to get rid of those prophets, he (Mr. Jackson) was equally anxious that, in making the attempt, he should not also get rid of the British power in India.* The wisdom of all law was, to govern without offensively

* Superstition, instead of promoting peace, has tended more than any other cause to excite civil wars and to subject nations to conquests.

interfering with the feelings and prejudices of those over whom you ruled. In that point of view, also, this proposed Freedom of the Press became a subject of vast importance; and he thought the sentiments of his honourable friends with respect to it, were hasty and undigested; they were, he conceived, dangerous to go abroad, and therefore dangerous to be uttered in that Court without animadversion; he protested, therefore, against the sentiments which they avowed."*

* *Asiatic Journal*, XIII. pp. 69—80.



SECTION XII.

Effects of a Free Press on the Governments of the Subsidiary States.

“Whoever conceives it in his power to do unjustly, readily does so, each person concluding injustice to make much more for his private interest than justice would do. Compacts are therefore best ascertained when grounded on mutual advantage; or when it is in our power to force those with whom we treat to be just and honest.”—*Plato.*

THE state which places her military power in the hands of another state, surrenders herself to the worst species of government. Whether the substantive power controul the affairs of the dependency or not, she is equally regarded as an enemy. Such alliances are also fundamentally bad, because they lead inevitably to intrigues, extortion, oppression, and conquest.

In most of the Subsidiary States of British India, the sovereign power is nominally vested in the Native prince. Since, however, the whole military force is under the controul of the British Government, sovereignty is substantially, however speciously, exercised under its authority. The Resident being far removed from the Supreme Government, it is necessary to grant him large powers. These, indeed, are not exercised directly, but by the intervention of secret intrigues; yet in the administration of this delegated sovereignty, he is in reality almost absolute.

The Resident's objects are to monopolize all patronage

for his friends, and to amass as much money and to keep up as large a force as possible to support British interests. His measures are carried into execution by an agent, nominally the *Pageant's* Minister, but more properly his own. The business of this black hypocrite is by wily arts to delude the prince, and to obtain money from his subjects. Extortion and corruption prevail from the minister through all gradations even down to the peasant. When the landlord is called on to pay a heavy tribute to the treasury, he endeavours first by persuasion, and at last by violence, to obtain the money from the cultivator. Should he fail, to avoid being incarcerated or tortured, or both, he foments a rebellion. If the cultivators fall in arrear, either from failure of crops or over assessment, they are treated with horrid cruelty. Tyranny drives them to despair, and they often seek safety in the woods and hills, and embrace a savage life. Under this species of rule, the people of Hyderabad degenerated into a state of nature, with the vices of civilization engrafted on that condition. Nor should it be here forgotten, as the historian of British India has happily expressed himself, that "the misery produced by these Native Governments, which the Company upholds, is misery produced by the Company, and sheds disgrace upon the British name."

It may be imagined that these evils were justly imputable to the Resident. No, they had their root in a corrupt, intriguing, domineering, and extorting system, which placed too much power in the hands of man, by nature imperfect, and unprepared to resist the temptations offered by absolute rule.

Had this corrupt and oppressive course of administration been exposed to public animadversion, a better would have been pursued. The Supreme Government,

which derived no information but from the Resident, and which consequently remained quite ignorant of much of the vice which prevailed in these States, would have been disabused and enlightened. They would either have resolved not to interfere with their internal government, which is almost impracticable, or they would have interposed to do justice between prince and people. Some tried and eminent statesmen—an Elphinstone, a Munro, a Fullarton, or a Metcalf—would have been selected to fill the high office of Resident. He would have assumed a mild, but firm tone; he would have persuaded the sovereign to appoint an honest minister, to be satisfied with a moderate land tax, and to prevent his nobles from extorting from the cultivators. He would have entreated him to establish village, district, and supreme courts of justice. In short, he would have implored him to govern like a man, instead of destroying like a monster.

A Free Press might also have afforded the means of reforming the Subsidiary States, and might thus have prevented the wars which they waged with us. The States of Central India confederated against our power. There might not, indeed, exist any formal treaty, but there did exist a sense of suffering, and a determination to be avenged. When men are unanimous in feelings of hatred, they have formed a tacit compact which on a fit occasion will be signed with blood.

Our Residents were *kings* of Hydrabad, of Oude, of Nagpore, and Poonah. Some of them exercised mild, some despotic sway, but their governments were all odious to both prince and people. Had these *kings* exercised their power to prevent extortion, and to enforce a system of equal justice in every village, India would have lauded Lord Wellesley's conquests. Instead of this, they domi-

neered over the Native princes, and, at the same time, indirectly supported by our troops the extortions of those *Pageants*. The Native Governments were limited in their oppressions by their weakness, but they had no limits when assisted by British bayonets. This system of rule drove the people mad. Rebellion ensued, wars followed, and the result has been conquest. Against these conquests there has been much, but unjust, declamation. Mr. Canning, as I understand, stated at the public dinner given to Lord Amherst, that our empire in the East had already been extended beyond the bounds of prudence. If so, it had been too much aggrandized on its frontier; for no empire could be strong with millions of enemies in its centre. A great portion of our empire in the East consisted, in reality, of Subsidiary States. The subjects of these States, doomed to a dreadful anarchical despotism, were in consequence, impoverished, demoralized, rebellious, and exasperated against British interference. They were, in peace as in war, our rancorous enemies. It therefore became our policy to change a system so hazardous and so pregnant with human calamity. To abandon these States altogether would be an open avowal of weakness, which would ensure perpetual wars, and ultimately force upon us the extension of conquests. Not to interfere with their internal government, would be, on account of our pecuniary demands, next to impossible. The only alternative, then, is to govern them honestly. Pursue it, and order will be restored, the people will become rich and happy, and, in difficulty as in danger, will remain the firm friends of England.

The Pindarie system grew out of the misrule which had so long existed in Central India and in these Subsidiary States. The military classes were unemployed.

The Zemindary troops, which under Akbar amounted to above four millions, instead of being occupied in police duties, were let loose. Many of these idle soldiers, with other vagabonds, joined the Pindarie tribes, and roved wide in search of plunder. No man in the neighbouring countries could cultivate his field in safety. The system was incompatible with the existence of regular government. Had the Governor-General, instead of being full of lofty ambition, been a peaceful Quaker, he must have drawn the sword of justice to defend the persons and the property of the State. Lord Hastings was forced to go to war not to destroy Pindaries, but to put down that anarchy which was the prolific root of these evils, and to establish a system of government and police that would permanently secure the peace of Central India and of the surrounding world. The Marquis, by an extensive and masterly combined movement, which anticipated and provided against every difficulty, triumphed over all enemies; he reformed that frightful and licentious system which had too long prevailed at Hydrabad; and to the conquered nations he proved himself a benefactor.

SECTION XIII.

Effects to be expected from the Establishment of a Free Press at Goa.

“ Throw open the temple of science and the field of inquiry to all the world.”

“ Truth is omnipotent. Ten pages that should contain an absolute demonstration of the true interests of mankind, could no otherwise be prevented from changing the face of the globe than by the destruction of the record.”

THE following letters to Manoel Fernandes Thomas, and to some friends in Asia, were designed to shew the policy of establishing at Goa a Free Press. The Censorship there has since been abolished, and it remains to be proved what advantage or what injury will thus result to mankind.

“ SIR,

“ London, 2d March, 1822.

“ Having witnessed in British India the baleful influence of a Press under a Censor, and the beneficial effects of a Free Press, I am anxious to call the attention of your enlightened mind to the great benefit which the latter policy, exercised at Goa, would confer on Asia—Asia, hitherto debased and demoralized by ages of impious priestcraft and dark despotism.

“ It may naturally be expected that the patriot Senators of the Portuguese Cortes, who have emancipated their native country, will next take into consideration the reformation of their colonies; and I have ventured to address myself to you, of whom fame speaks as eminently entitled to a leading influence in that august Assembly.

"England justly claims the honour of having first established a Free Press. In the reign of Charles I., the *Liberty of the Press*, as well as religious toleration, was generally deemed of dangerous tendency, and therefore incompatible with good government. Experience, however, has taught us that they are the harbingers of peace and happiness. To freedom of writing may be traced the improved condition of society. The establishment of toleration, the abolition of the Slave Trade, the diffusion of education, and the extension of representative government, all emanated from an advanced and cultivated state of the human mind, which was chiefly promoted by a Free Press. The advantages derived from liberty of conscience are conspicuous in every country where it prevails—in England, in America, even in Indostan. Compare, for example, the conduct of the famous Mogul emperors Akbar and Aurungzebe. Akbar, influenced by a philosophic spirit, encouraged the most perfect religious freedom. He called into the presence a Portuguese priest, and theologians of various other persuasions, for the purpose of freely discussing the great question of religion. The consequence was, that during his long reign, religious rancour having never been excited, there was no holy war. Far different was the conduct of Aurungzebe. For nearly half a century he kept the sword of Mahomed reeking in the blood of the unfortunate Hindoos. But on his death-bed his conscience smote him, and he expressed his remorse in the following admonition to his sons:—‘If in our prosperity,’ says Aurungzebe, ‘we ever forget our duties, sooner or later the day of repentance must come—it is inevitable.’ These words are remarkable, as proceeding from a monarch who knew no limit to his power but the will of God. ‘On whatever side I turn my

'thoughts,' continued he, 'I behold nothing but evidences of the Divinity.'

"I shall now briefly notice to you certain great evils that prevail under the theocracy of Indostan, and shall endeavour to prove that they can be removed only by means of education and a Free Press. The Hindoos are divided into castes, all under the dominion of priests. Should a Brahmin take a Sudra for his wife, he is doomed to suffer for ages in hell. This unnatural division of society is the greatest barrier to good government. To perpetuate ignorance and superstition, none but a Brahmin is allowed to read the Vedas, under pain of death. Falsehood is universally practised, and perjury, which prevails in all our courts, is in some instances sanctioned by law. Most of the productive classes are accounted vile and odious, unworthy to eat, drink, or sit with a member of the classes above them. The women of all castes are kept in a state of slavery. In Bengal, during the year 1817, there were burned or buried alive 705 widows. The Brahmins also plunge the sick into the sacred rivers, that the soul in the act of departing may be washed from all the impurities of the body. Thus are yearly destroyed a multitude of *British subjects*. The Rajpoots murder their female infants. During the last ten years, Kooaur, brother-in-law to the Rajah of Jointepoor, has been in the habit of repeatedly sacrificing men, for the purpose of obtaining progeny from his barren wife. The victims are kidnapped, they undergo ablution, have a garland of flowers placed round their necks, and then have their heads cut off. Kooaur and his wife having witnessed this ceremony, conclude the tragedy by bathing in the victims' blood. While evils such as these prevail, even under enlightened governments, in Indostan, experience has

taught us that they would be increased by the application of force, and can only be subdued by reason. Therefore, to kill a cow or a sacred monkey would be more dangerous than to attack from the Press their thirty millions of Gods, or even their Vedas.

“ To destroy this vile superstition, and to establish in its place a pure worship, has, indeed, been the professed object of all European governments. What were the means they adopted? The Portuguese established an Inquisition at Goe. The Popes, ascribing to the Inquisition a divine origin, entitle it the **Holy Office**, and the prison, the **Holy House**; while the **Inquisitor** and **Censor** are supposed to be under the immediate influence of Heaven. It follows, therefore, that Torquemada, the Grand Inquisitor and Censor, who in fourteen years tried 80,000 Mahomedans and Jews, and burnt 6000 of them in all due pomp, was an agent of the Divinity. Be he their god or demon, all we have heard of the cruelty of the Hindoos cannot surpass this horrid massacre. Neither can the voluntary sacrifices at Jagernaut be compared to the sufferings of Sieur Dellen and other innocent men in the Inquisitions at Damaun and Goa. They were buried alive in dark and nauseous vaults, with no companions but the vermin nurtured in their filth. They were flogged and racked, and then in mercy starved, strangled, or burnt.

“ Let us next consider the conduct of the Censors of the Press. Nothing could be published till examined by these infallible men. They made *ex post facto* laws; they passed a decree against sixty-two Printers, prohibited every book they had ever published, and subjected all who read them to excommunication and perpetual infamy. Erasmus’s Paraphrase of the New Testament,

printed with the approbation of Leo X. and the Inquisition, was afterwards condemned by the Censor. They punished Galileo for publishing his opinion that the sun, and not the earth, is the centre of the world. These positions they declared false in philosophy, and contrary to the word of God. They caused his Dialogues of the System of the World to be burnt, forced him to abjure his errors, and imprisoned him for years in the Inquisition. The Inquisition even deprived foreign governments of the power of prohibiting any book approved by them, though dangerous to the state. The Syrian Christians, for ages unmolested by the tolerant Hindoos, were called on by the Inquisition at Goa to acknowledge the Pope, of whom they had never heard, and to abjure their simple worship. The Censor, as if ambitious of still soaring to pre-eminence in guilt, caused their ancient and sacred manuscripts to be burned. From these persecutors the Syrian Christians fled to the mountainous forests on the Malabar coast—freedom's strong sanctuary.

“The *licentiousness* of the Press under their Censors far exceeded that of the most *licentious* Free Press. Like a Free Press, the Censors could warrant the publication of any falsehood; but, unlike it, were subjected to no refutation—to no punishment. The Censor claimed absolute power, and could and did silently suppress truth. The right of coining political falsehoods was the exclusive prerogative of the orthodox Doctors of the Inquisition. This *Corporation of Liars*, in the full exercise of their prerogative, invented and propagated their encouraging, animating, additory, translatory, detractory, defamatory, prodigious, miraculous falsehoods: and no friend of truth was allowed to expose their slanders, or contradict their assertions. The same evils exist, though

not to the same extent, even under the *best* governments where Censors bear sway.

“ To return to the cruel intolerance of the Inquisition. Assuming that the kingdoms of Asia belonged to Portugal, they pillaged, oppressed, and murdered the Hindoos, and threw down their pagodas. All this they did under the sacred cloak of religion. Think not, Excellent Sir, that my present discourse is influenced by any low prejudice against the religion of our forefathers. No, though a Protestant, I was dismissed the Staff, and sent from Ireland for having there calmly advocated the cause of the *Roman Catholics* of that afflicted country.

“ Acts of intolerance and oppression having tended to degrade rather than to ameliorate the state of Hindoo society, numbers of pious missionaries have had recourse to the gentle arts of persuasion. Yet their attempts to overcome the deep-rooted prejudices of irrational men have proved ineffectual. How, then, it may be asked, is this society to be reformed? By preserving the most perfect religious freedom, by the exertions of worthy missionaries and enlightened Brahmins, by the virtuous education of youth, by delivering the Press from those odious restraints which have hitherto impeded the progress of civilization, and by the establishment of improved Panchayets,* and of a *rational* code of laws suited to the character of Asians.

“ A glorious revolution is at this moment advancing in British India. Among the population of Bengal a large portion are receiving the rudiments of an improved system of education, and thousands of elementary works

* Trial by arbitration—a sort of jury.

are circulating throughout our empire. Even Hindoo women, against whom widowhood, and consequent burning alive, are denounced for learning the alphabet, and who must not read the *Veda* under pain of death, have placed their daughters at the public schools. The Brahmins, Rammohun Roy, and the late Bruja Mohuna, the great Hindoo reformers, have held public monthly meetings at Calcutta for the purpose of freely discussing the tenets of their religion, and exposing the cruelties and polytheism practised under it. These Brahmins have also, by their publications, endeavoured to prove that every Hindoo rite has its derivation from the allegorical adoration of the Deity, and that God alone should be worshipped. Abulfazil supports this opinion. 'It has come to light,' says that wise Mahomedan, 'that the generally received opinion of the Hindoos being Polytheists, has no foundation in truth; for although their tenets admit positions that are difficult to be defended, yet that they are worshippers of God, and only *one* God, are incontrovertible points.' In the Institutes of Menu too we read this sublime sentiment: 'Goodness is the very essence of the Supreme Being. God is one whom the mind alone can perceive, whose essence eludes the external organs, who has no visible parts, who exists from eternity, the soul of all beings, whom no being can comprehend.' The superstitious Hindoo of the present day, on the contrary, deems it heresy not to believe in his rabble of gods, and blasphemy to assert the Unity of the Supreme Being.

"The Free Press of Calcutta* is, however, what has

* There are seven Native presses at work in Calcutta. While this

operated most powerfully towards the reformation of abuses. Already it has triumphed over superstition in her strong hold. During the last festival of Jagernaut there were so few pilgrims present that they were unable to drag the car. The Brahmins called in other aid, but no devotee could be persuaded to sacrifice himself to the Idol. They now talk of removing the Rath to a more central situation. Let them take it beyond the sphere of a Free Press, or that engine, once fairly at work, will drive it forth with a force that millions of bigots cannot long withstand. Thus, in a few years' discussion, the Press has done much to destroy idolatry, polytheism, priestcraft, and oppression—the growth of thirty centuries; while the scymetar of the Mahomedan, and the torments and fires of the Inquisition, could only serve to confirm the Hindoos in their fooleries and cruel superstition.

“ God grant that the Cortes of Portugal, which in its great piety and wisdom has abolished the Inquisition, may also abolish the Censorship at Goa. De Lolme has happily said, ‘ Que si dans un empire d'orient, il se trouvoit un sanctuaire qui, rendu respectable par l'ancienne religion des peuples, procurât la sureté à ceux qui porteroient leurs observations quelconques ; que de la sortissent des imprimés que l'apposition d'un certain

Section is in the Press, I am gratified by observing the following account from a sister Presidency.

“ The Bombay papers contain a notice of a new weekly paper published in the Bengalee language, the first attempt of the kind, and edited by a learned Hindoo. In the first and second numbers were articles, on the liberty of the Native press, and on the trial by jury, which had been purchased with so much avidity that both were out of print. It appears under the title of *Sungbaud Cowmuddy*, or the ‘ Moon of Intelligence.’” See *Monthly Repository*, (1823,) Vol. XVIII. pp. 117, 118.

soeau fut pareillement respecter, et qui, dans leurs apparitions journalières, examinassent et qualifiassent librement la conduite des Cadis, des Bachas, des Visirs, du Divan et du Sultan lui-même; cela y introduiroit tout de suite de la liberté.'

" May a Free Press, through your instrumentality, find in the old Inquisition-house at Goa this sanctuary! And, as the sun by its vital heat animates the world, so may this fountain of intellectual light spread far its lucid rays, and give life to oppressed Asia!"

"I have the honour, SIR, to subscribe myself,

“ Your most devoted Servant,

“ LEICESTER STANHOPE.

“To MANOEL FERNANDES THOMAS, &c. &c. &c.”

"Letter from Col. L. STANHOPE to some Friends at Goa."

“GENTLEMEN, *London, May 1st, 1822.*

"I have heard with pleasure of the glorious Revolution lately accomplished at Goa, by which Asia has been freed from the horrors of a frightful Inquisition.. The virtuous part which you have acted on the interesting occasion, induces me to offer to your consideration some remarks on the advantages of establishing in that city a *Free Press*. I am aware that there existed a Press at Goa soon after the era of printing, but it was free, only to serve the purposes of despotism, and to issue the rigorous mandates of a barbarous Inquisition. On this subject it must not be forgotten that the settlements of Portugal formerly extended along the coast of Africa and Asia nearly from the Cape of Good Hope to the Sea of China, and also comprehended most of the islands in the Malayan Archipelago, and that in all these places the Portuguese language is still spoken, and thus offers the most favourable

medium of communicating knowledge, which, by the resistless aid of a Free Press, may at length diffuse itself through the extensive regions of the East.

" It has been well said, that in the invention of printing is contained the embryo which, in its maturity, will annihilate the slavery of the human race. Hence I shall endeavour to prove, that a Free Press, co-operating with a good system of general education, must in the issue destroy bigotry and despotism in Indostan.

" There are three principal sources from whence the Hindoo society is susceptible of improvement: these are, justice, education, and discussion. The political, civil and criminal laws of the Hindoos and Mahomedans are interwoven with their theology, and the union of their divine and human codes has a direct tendency to introduce and to perpetuate despotism. The introduction of a pure worship, and a just and equitable code of laws, is therefore essential to their welfare. The great mass of the Hindoos have, from time immemorial, received the rudiments of education. They have been instructed in the fabulous tales of their gods—their cruelties, their immoralities, and their abominations. Thus a vicious education has effectually tended to perpetuate the errors of bigotry and oppression; whereas, by a contrary course of discipline, their minds would have been enlightened and their condition ameliorated. A Free Press is, however, what was most wanted to accelerate their advancement, because the grand instrument for the improvement of the mind is the publication of truth, and, for propagating truth, discussion. By the collision of prejudices, where mind encounters mind, truth must be elicited. In this contest, Government should observe neutrality; for truth will most flourish

where; like commerce, it is left unrestrained. When the great Colbert proposed to interfere with trade, even by protecting regulations, the merchants wisely answered, ' *Laissez-nous faire.*'

" History teaches, that a reformation in the religion of the Hindoos could not be effected by the intolerant Mahomedan; nor by the Inquisition, with its synods and censors, and their impious decrees; nor even by the preaching of pious missionaries. It cannot fail, however, to be produced, as in Europe, by the influence of free discussion. No religion probably ever deviated more from just principles than that professed by Christians during the dark ages, till the era of the Reformation. The vices of Popery, the restoration of learning, and the invention of printing, by which learning was diffused, united to produce that event. ' Man awoke from the lethargy in which for ages he had slept, to contemplate the beauties of truth, and to exercise his reason.' Luther was the first who opposed the profitable traffic in indulgencies. The Pope threatened his person, and condemned his writings to the flames. Succeeding Popes went farther than Leo. They rightly judged that a Free Press was incompatible with the support of their superstition—their oblations, penances, pilgrimages, mortifications, indulgencies, and other buffooneries. ' We must put down the Press,' said Wolsey, ' or it will put us down.' All their efforts were therefore directed to this object, but the Press triumphed. The Popes proscribed all heretical works, and excommunicated all who read them. They caused the ancient ecclesiastical writings to be mangled and interpolated; passages to be erased, and others inserted. An *Index Expurgatorius*, or catalogue of prohibited books, was published at Madrid under

the sanction of the Inquisition. It consisted of 900 pages closely printed. The framers of the Index condemned, either wholly or in part, not only works on religion, but those relating to polite literature and science. Of all translations of the Bible, whether printed or in manuscript, they forbade the use. On the works of reputed heretics, and on all they might in future compose, was passed the same unqualified censure. Some of Erasmus's writings, however, these gloomy persecutors allowed to be published, with the words 'Erasmi Roterdami, auctoris damnati,' inscribed in the title-page, annexing the following note: 'Opera omnia Erasmi, cautè legenda, tam multa enim insunt correctione digna, ut vix omnia expurgari possunt.' Here, then, was a systematic attempt to perpetuate ignorance and superstition, to corrupt the sources of truth, and to disseminate error and falsehood. Should it be asked, Why now declaim against the Inquisition? It may be answered, Because its frightful decrees substantially exist in every country where the Press is still under any restrictions not essential to the maintenance of civil liberty; and because twelve millions of my fellow-subjects in the Madras Presidency are actually under a *Censor of Heretical Pravity*. This officer has lately prevented the printing in Tamul of the Prayer Book of the Unitarians—a sect of all others the most likely to introduce Christianity in the East. In like manner, Censor Wood might suppress the religious works of the Mahomedans and Hindoos, of the Roman Catholics, the Methodists, Presbyterians, or other Sects differing with that infallible judge of orthodoxy.

"The Reformation vindicated political as well as religious rites, because it destroyed superstition, which is

the root of despotism. A militia of 600,000 highly-disciplined priests, backed by myriads of bigots, were baffled by a monk and the asserters of reason. The Press enabled the first Reformers to give a wide circulation to their thoughts; which, but for such an advantage, had been confined to the place where their principles had been first inculcated. May not similar results be fairly expected to appear in Indostan, through the medium of education, of a Free Press, and the preachings of missionaries and Native reformers?

“ Be it asserted that Pagan Christianity has no resemblance to the superstition that now prevails in Indostan, I contend, on the contrary, that all superstitions resemble each other in their origin and influence. They are all founded in error, and promote despotism. Whereas the prominent features of most religions resemble each other as being founded in reason—in the belief of God, and the inculcation of virtue, which is the essence of liberty. The Hindoo religion, in its uncorrupted state, approaches to a system of pure theism. The most learned Brahmins are Unitarians, according to the doctrine of Kreeshna; but they so far comply with the prejudices of the vulgar as outwardly to perform all the ceremonies prescribed by the Veds. The great bulk of the Hindoos, on the contrary, are sunk into gross superstition, and, instead of limiting their belief ‘ to one unknown, true Being, the Creator, Preserver, and Destroyer of the universe,’ they have enlisted Thirty Millions of Gods into their service. Mahomedanism is a compound of Judaism and Christianity, joined to the belief of certain absurd tales and pretensions added by Mahomet. The Wahaubees have overrun Arabia, Syria, and Persia, for the purpose of restoring the simple Unitarianism of the Koran. We are, in fact,

obliged to the Mahomedans for the destruction of Idolatry and Paganism in many parts of the world. Their great crime is that of endeavouring to enforce their creed by the sword. Mahmoud vowed to convert by force of arms the whole Hindoo race to Mahomedanism. In twenty years he invaded Indostan twelve times, and spared neither age nor sex. Tippoo boasts that he threw down 8000 idol temples. He subdued Coorg, and drove 70,000 of its inhabitants like cattle to Seringapatam, forced them to profess Mahomedanism, and then sent them back to serve as slaves under his Zemindars. This was not a course calculated to reform or to convert the Hindoos, who, for upwards of 3000 years, had preserved their religion.

“ The numerous followers of Confucius have, no less than the Hindoos, deviated from the pure worship of the founders of their faith. The religion professed by literary persons and men of rank in China, consists in a deep, inward veneration of God. ‘ Live,’ says Confucius, ‘ as, dying, you would have lived; and do unto your neighbour as you would he should do unto you.’ ‘ This sect,’ says Lord Kaimes, ‘ have neither priests nor temples, and their religion is perhaps the most refined system ever practised by men. It has been objected to as not fitted for the human race.’ Thus we perceive that the doctrines of the Hindoo, the Mahomedan, and the Confucian religions, all assimilate in the belief of one, and only one, God; and that all of them, in the progress of ignorance, degenerate into gross and cruel superstition, accompanied by despotism. The only means of reforming them, and restoring among them a pure worship, is by the light of reason. In further confirmation of this argument, a noble author has observed, ‘ that as unity in the Deity was not

established in the countries where the Christian religion was first promulgated, Christianity could not fail to prevail over Paganism; for improvement in the mental faculties leads by sure steps, though slow, to one God.'

" The superstitious and intolerant Portuguese were sure to fail in their work of conversion. When Vasco de Gama arrived at Cochin, he found the Syrian Christians established there under a King. The Portuguese immediately claimed the churches as belonging to the Pope. The Syrian Christians replied, ' We never heard of the Pope, and have for 1300 years had bishops appointed by the Patriarch of Antioch.' The Portuguese Archbishop held a synod near Cochin, at which 150 Syrian clergy appeared. His Holiness accused them of having married wives, of rejecting purgatory, the invocation of saints, and the worship of images. These heresies he commanded them to abjure under pain of suspension; while the Inquisition at Goa decreed that all their sacred books should be burned. From these persecutors the Syrian Christians fled to the forests on the mountains—every where the asylum of liberty. Nor have the exertions of unassuming missionaries, unaided by a Free Press, been more successful than those of the intolerant Mahomedans and Portuguese. They have, however, done no wrong, and much good, by their charities, by diffusing education, and by the example of their virtuous lives. Yet Abbé Dubois, who sacrificed more than thirty years of his life to promote the conversion of the Hindoos, has declared the measure hopeless, and that he never knew a single instance of a Hindoo becoming a genuine convert to Christianity.

" It is not to be denied, but proudly asserted, that a Free Press must at length produce in Asia one of the

greatest revolutions that ever appeared in the world. The government of the Hindoos is a theocracy. Their manners, customs, and mode of thinking—their castes, their laws, their despotism—all rest upon this superstition, which cannot long prevail if exposed to collision with a Free Press. This engine must destroy bigotry, and tear up despotism by the roots. It may be said, that such a revolution is dangerous. If so, it follows that the conversion of the Hindoos to Christianity would be equally dangerous; for by no arts could it be effected without a total subversion of the present state of society. I deny, however, that a free discussion, regulated by wholesome laws, is dangerous. During the administration of Warren Hastings, the Press was free to licentiousness. Now this was a period of extreme difficulty and hazard. England was at war with America and with all Europe. Bengal was threatened by Boemsha; Benares was in revolt; Oude convulsed, and the Seiks were plundering the Doab; Madras, exhausted by famine, was invaded by Hyder; and Bombay was engaged in a contest with Scindia and Holkar. Hastings was constantly outvoted by his Council; and there was not a rupee in the Treasury. The Supreme Court was appointed as a check to misrule and oppression, and it set itself in opposition to the Governor. Not a judge was on speaking terms with the Governor-General or his Council. Writers were, nevertheless, sure of protection while they transgressed not the law of libel. The Press was even so honest and indiscreet as to attack with its poignant satire the Governor-General and 'Lord Poolbundee,' the Chief-Justice. In short, British India was threatened with ruin;—the Press was free, and it was saved.

"In farther proof of the passive and tolerant spirit of

the Hindoos, and the safety of discussion, I shall mention a remarkable event that occurred some years since at Ishra, in the immediate vicinity of Calcutta. While Jagnanaut's Car was there passing over a human victim in the presence of a hundred thousand zealots, Christian missionaries were preaching to them unmolested, and distributing printed papers expressly designed to expose their cruel superstition. As another instance, I shall notice the work of Bruja Mohuna,* entitled 'Strictures on Hindoo Polytheism,' which has long been in wide circulation without producing the least alarm. Had this book, which contains a satirical, argumentative, and masterly exposure of the absurdities of the present Hindoo superstition, been submitted to a Censor, it would have been suppressed, or have been published under the sanction of Government. If suppressed, there would have been an end to free inquiry; if allowed, it would have gone forth with the mark of public authority, and might have excited strong jealousies. We are not to imagine that the discussion of religious subjects is a novelty in Indostan. The Natives are exceedingly fond of discussion, and have been writing on the nature of the Divine essence and the doctrines of their faith for twenty centuries.

"I shall now close this letter by expressing an anxious hope that a Free Press may be established at Goa; that from it may diverge a flood of light; and that your liberties may be immortal.

"I have the honour, Gentlemen, to subscribe myself,
"Your most devoted servant,
"LEICESTER STANHOPE."

* I regret to add, that this interesting Hindoo died in 1828, at the early age of 37.

SECTION XIV.

Effects of a Free Press on Superstition.

“Immense are the blessings men reap from the union of pure religion with sound morality; but they scarce counterbalance the evils suffered from impure religion indulging gross immoralities.”—Kaines.

THE Hindoo religion is, according to some writers, a system of pure theism, upon which the crafty Brahmins have engrafted their false devotion.

“Wherever God erects a house of prayer,
The Devil always builds a chapel there;
And 'twill be found, upon examination,
The latter has the larger congregation.”

This superstition is well framed to secure a lasting despotism. In addition to the insidious arts formerly practised by the priesthood of the Christian Church, the Brahmins united the civil and religious codes, which threw all power into their hands. They established that dreadful system of *castes*, which no series of political contrivances short of education and free discussion could have destroyed. Superstition had, in fact, benighted and brutalized Indostan for ages, and, even under a long-established British Government, it still operated to an horrible extent.

It would be foreign to the object of the writer to enter into a detailed account of the Hindoo religion. The following facts will suffice to shew to what an extent it is degraded. Tavernier tells us, that there are in the Indies eight hundred thousand Mahomedan Fakkeers, and twelve

hundred thousand Pagan Fakkeers. Some of these are good and holy men, but they are in general mendicant vagabonds. The Hindoos are reported to have thirty millions of gods and forty thousand great prophets. They have about ninety festivals in the year, some of which engage the whole time of the worshippers for three or four days. *Kotanum*, or absolution, is a ceremony whereby the Brahmins transfer the sins of the people into one or more cows. The cows, being charged with their load of sins, are then driven to the place which the Brahmins shall appoint. Some years back, two British officers rescued a woman, sword in hand, from the flaming pile. To avoid her disgrace and misery, she solicited permission to burn herself, but the Brahmins refused, saying she was polluted, and had lost the virtues of her caste. At Gorruckpore, in the year 1820, a widow was placed, by her relations, on the funeral pile. Unable to bear the fire, she made repeated attempts to escape. She was then tied up in a sheet, and thrown upon the blazing pile. The sheet was consumed, and she again crawled out of the fire, but in vain. She was thrown upon it once more, and her throat was in pity cut by a Mussulman, which closed the scene. The parties concerned in this tragedy were tried and found guilty.

We must not imagine that these sacrifices are commanded by the Hindoo religion. On the contrary, the pundits of the Sudder Adawlut having been consulted, declared them illegal, and their opinion was widely circulated. The Mahomedan Government opposed the burning of widows, and laid a heavy fine on the family of the murdered woman. Notwithstanding these exertions, the horrid murders are still perpetrated, and can only be prevented by discussion.

Another practice prevails in Indostan, of placing sick and dying men on the banks of the Ganges to be washed away by the flood. The people believe that the waters of the Ganges have a sanctifying virtue ; it matters little, therefore, whether they have lived virtuously or not, so they be thrown into that sacred stream. The writer once saw a man thus situated, doomed to be drowned, with the birds of prey hovering over him, and a jackal tearing the living flesh from his bones. A few years since, a man destined to be drowned was saved by some Englishmen pouring a bottle of lavender-water down his throat. The man lost his caste for drinking in the company of Europeans, was shunned by his family and others, and ever lamented his cruel fate. Practices so barbarous, if tolerated at all, cannot be too much ridiculed and reprobated.

The Brahmins allow none but themselves to read the Sanscrit, or the sacred volumes ; and they conceive the laws profaned when communicated to foreigners. To antiquity they are so scrupulously addicted, that they consider it a crime to improve beyond what the ancients have written, and they make their learning chiefly to consist in getting by heart what the gods have said and done for them.

The only effectual remedies for all these follies and cruelties are, virtuous education and open discussion. Papal Christianity was by these means reformed, and all superstitions assimilate in their character and influence. The Monks are not unlike the Fakirs, though both parties would be sorely affronted at the comparison. The Hindoo gods must resemble those of the idolatrous Christians ; for when Vasco de Gama arrived at Calicut, he and his followers bent down and worshipped the idols in

the Hindoo temples, conceiving they were similar to those they had left in their churches in Portugal. The cruelties attendant on the Hindoo superstition are not more frightful than the racks and the *auto-da-fes* of the Inquisition. And for the restrictions on learning, the Catholic priesthood still stand unrivalled. They endeavoured to monopolize all the literature of the time. Their manuscripts contained a subtle mixture of theology, logic, and metaphysics, which was designed to be unintelligible. They prevented the Scriptures from being translated in the vulgar tongue, and denounced the ancient languages as a monstrosity and an idolatry. Even under the amiable Pope of the present day, the writer, when lately at Rome, could not procure the works of Robertson; and the King of Sardinia has prohibited the sale of the History of Genoa in its metropolis; so that the Italians of the 19th century are prevented from reading the annals of their own country. The Romish priests consider their purgatorial fire and holy water as essential to salvation; so the Hindoos imagine that the souls of men, which are immaterial, can be purified by water. The Brahmins are keepers of the law, which is written in an unknown language; so are the Catholic priests. The *Kotanum* is not worse than the indulgencies and absolutions of former times.

To beat down this system of knavery and oppression, nothing is required but what is within the power of every government, namely, to educate the great bulk of their subjects, and to allow them to speak and to write freely. Accordingly, we find that two Saxon monks changed the face of the globe. Tetzel came to preach indulgencies at Wirtemberg. Luther raised his voice and pen against them; and, such was the force of truth, that all the arts

of the court of Rome, aided throughout Europe by a veneration for antiquity, the prejudices of the vulgar, * and the cruelty of the Inquisition and its black militia, were baffled by a solitary monk.

“ *Rome* sway’d the world, a *Pope* her power assail’d,
 She rose by valour, he by fraud prevail’d.
 Far higher fame may *Luther’s* deeds assume,
 Whose pen alone, subdued both *Pope* and *Rome*.
 Go! fabling *Greece*, *Alcides* vaunt again ;
 His iron mace, how weak to *Luther’s* pen ! ” †

The fermentation excited by the successful intrepidity of Luther affected the two worlds, and created a new order of things highly beneficial to mankind. The progress of the human mind would have prevented the wars that accompanied these events; but an infallible Church stifled knowledge. The Inquisition used every effort to shackle the Press, and, as a striking example of retributive justice, has been at last destroyed by its freedom.

Some have asserted, that free discussion would prejudice the interests of true religion; but truth and reason

* Who were thus alarmed by a follower of “ the fiery Dominican Hochstraten,” one of “ the Theological Inquisitors” at Cologne :

“ A new language has been invented, which is called *Greek*. Guard carefully against it; it is the mother of every species of heresy. I observe in the hands of a great many people a book written in this language, which they call the *New Testament*; it is a book full of thorns and serpents. With respect to *Hebrew*, it is certain, my dear brethren, that all who learn it are instantly converted to Judaism.” See *Villiers* “ On the Influence of the Reformation by Luther,” p. 55.

† Beza’s Epitaph on Luther. See the original in *History of Popery*, (1796,) II. 321.

can never be injured by investigation.* No; the works of Erasmus, though he remained a professed Papist,† have largely contributed to dispel superstition; so have those of the Deists. Compare, for example, the defences of Christianity by Locke, Butler, and Clarke, with those of the ancient writers, and no one can doubt on which side is the superiority.

In a word, it is reasonable to contend, that as free discussion produced the Reformation in Europe, so, by parity of reasoning, it may produce the same result in Asia. And here let me observe, that it is quite within the reach of one good and powerful and unshackled mind—of such a mind as that possessed by a Locke or a Milton—to beat down superstition and despotism, the growth of ages, and to entail happiness on millions in times to come.

* "Nor less friendly," says Bishop Warburton, "is this liberty to the generous advocate of religion; for how could such an one, when in earnest convinced of the strength of evidence in his cause, desire an adversary whom the laws had before disarmed; or value a victory where the magistrate must triumph with him?" See Warburton's *Works*, by Bishop Hurd, (1788,) I. vii.

† Declaring that he "had no inclination to die for the sake of truth," and that "every man hath not the courage requisite to make a martyr." See his Letter to Pace, 1521, in Jortin's *Erasmus*, 4to. L. 273.



SECTION XV.

Effects of a Free Press on the Administration of Justice.

“ It has been the fortune of India to receive laws from a nation infinitely superior to herself, in knowledge and in social morality ; and hence her internal constitution has acquired some improvements which, by the mere developement of its own energies, it would not very speedily have received. Of the advantages thus obtained, the greatest is evidently the upright administration of public justice ; for although in this department much may be effected by the vigour of an enlightened despot, yet in the natural order of things the jurisprudence of a country can never be secured in its purity, until the judicial power be laid at the feet of *public opinion*.”—*Edinburgh Review*, Vol. IX.

THE people of India, within these few years, have made surprising advances in civilization. To represent them, however, as having reached its perfection is a delusion, and nothing can tend more to hinder improvement than to set up our institutions in that country as standards of excellence.

“ Agitation is the element of man, the life of society.” To the great Burke, India is chiefly indebted for her advancement. He, by his exertion and wonderful eloquence on the trial of Hastings, conjured up a spirit there which has tended more than any legislative measure to purify and improve the administration of justice, and to introduce great reforms. The advocates in that cause overstated their case, yet there can be little doubt that the great features of the picture were true, and that the

exposure of jobs, bribes, extortions, and oppressions, then practised, led to a reformation of those abuses.

Great good was effected by Lord Cornwallis and others, but most of their reforms were occasioned by the all-powerful influence of public opinion, which Burke, in the bright day of his virtue, had excited. Since that period, a Censorship, to stifle the Press, and a Board of Controul, as a check upon the Court of Directors, have been established. The former measure has kept this country ignorant of the state of India, while, by removing responsibility from the ministers, the latter has prevented the Parliament from taking a zealous interest in Indian affairs.

The code administered in our Eastern empire is a farago, consisting of Mahomedan, Hindoo, and English law, and of the Company's regulations. It is comprised in the Koran, the Shastres, and other sacred writings, and in hundreds of our law books ; in addition to which there are a few thousand volumes of commentaries in Schanscrit, Arabic, Persian, Latin, and English, which are carefully drawn up by learned pundits, cauzees, and doctors. Now all this knowledge, the essence of reason, derived from every age and country, must be highly interesting to those who wish to study the human character. Justice, however, being intended for universal reception, should be within the reach of every common understanding ; and, instead of being an endless study, and a science of deep research, should be plain as a beaten way. Britain boasts with some show of reason, her generous conduct in administering to conquered nations their ancient laws. But the proper course for the government of a dependent or independent state to pursue is this : if the laws are good and suitable to the genius of the people, let them

remain untouched ; if they are bad, and contrary to common sense, they should be amended. Buonaparte was a tyrant in withholding from men their rights : he was a benefactor in giving them a wise code of laws.

Bodin tells us, that in the 16th century there were more causes depending in France than in all Europe besides, and some of them a hundred years old ; whereas now there is no arrear of untried causes on the files of their courts, because their code is so plain that a citizen can generally decide his own cause, or it is quickly decided by the tribunals.

On the model of the Napoleon code, Sir Alexander Johnson, with the assistance of some wise Native civilians, drew up one for Ceylon. Should his Majesty's ministers sanction the adoption of this code, the Company will then have the experience of its effects on a people analogous in manners and religion to their own subjects, and in a country contiguous to British India. Thus there is reason to hope that Buonaparte's wise institutes may, under certain modifications, be adopted in our Eastern empire, and, by degrees, in the other states of Asia.

In the three supreme courts in India, we witness with pride and pleasure in the public proceedings, the pure administration of equal laws and impartial justice. But on admission behind the scenes, the system appears monstrous. The cunning devices practised by the under actors to promote litigation and to enrich themselves, has ruined most of the suitors who have appeared before these tribunals. For example, a man who has nothing, is persuaded by a worthy attorney to prosecute one who is rich, for his property. A long course of chicanery and learned argument ensues, which terminates in the enrichment of the attorneys and lawyers, and the ruin of the successful litigant. As a check on the mis-

rule of the Company's servants, these courts are admirable. Such shallow views, however, do the local governments entertain of their substantial interest, that any interposition to enforce the law where they are concerned, is looked upon with extreme jealousy. In the administration of criminal justice the conduct of the supreme courts is unexceptionable.

Perjury prevails in all the courts to a dreadful extent, even among Natives of the first rank, nor does the detection of their falsehoods create a blush.* It is considered a virtue, and is enjoined, to save a man's life, or to benefit a Brahmin. "Whenever," says the ordinance of Menu, "the death of a man who had been a grievous offender, either of the servile, the commercial, the military, or the sacerdotal class, would be occasioned by true evidence, falsehood may be spoken, it is even preferable to truth." The root, however, of this evil is in the corrupting operation of despotism, and little improvement can take place till the tone of morality is elevated by a better system of education and religion.

The judges of the Company's courts being dependent on the Government, it is desirable that their conduct should be closely watched. As an instance of their dependence, Mr. Scott and Mr. Greenway, the senior judges in the Madras Presidency, were removed from the Suder Adawlut, in consequence of the opinion they gave in the case of Mr. H. Oakes. And as a proof of the policy of scrutinizing the decisions of judges, it is only necessary to mention that they are liable to error. A judge in the Northern Circars some time back honestly acknowledged that he had incautiously signed a docu-

* See Sir H. Strachey's opinion in the Fifth Report.

ment by which an unalienable zemindary or estate had been given away from the rightful owner. This case would never have been published under a Censorship.

The laws are written in Schanscrit, Arabic, and English, and the written proceedings conducted in Persian, so that unless the Press is allowed to report the trials, the people must remain ignorant of their laws, and of the acts of administrative justice.

Lord Cornwallis wisely separated the duties of collector and magistrate as incompatible. They have, however, lately been united, to save expense, and to prevent the collision of authorities. To save at the expense of justice is bad economy. Besides, it is most essential that there should be a sufficient number of Europeans, civil and military, to keep up our connexion and influence with the Natives. And as to collision, it is necessary to good government that there should exist some strong checks on every department, to prevent the abuse of power. It is monstrous that a man should sit in judgment on his own acts. The union therefore of the duties of collector and magistrate, is a fundamental error. "The office," says Aristotle, "of collecting the revenue ought never to belong to the same person who administers justice and punishes crimes; lest the financial administrator should abuse his authority to the base purposes of extortion and vengeance."

In India, in the Native courts, the proceedings are generally conducted in Persian,—the language of a distant country, from which India has derived none of its laws, and which is foreign to the judge, the advocates, and the parties. "This, it must be owned," in the words of Blackstone, "is an evident and shameful badge of tyranny and foreign servitude." Nations eminent for justice have not

only enacted equitable laws, but have had them administered in the common language of the people. The Jews, after the Captivity, preserved in Persia for centuries the use of the Hebrew in their courts. In Persia, in Greece and Rome, the courts heard causes in the vernacular tongues. The Justinian code for the Western Empire was in Latin, and for the Eastern, in Greek. In China, neither the Mussulman nor Tartar conquerors ventured to introduce a foreign language into the judicial proceedings of that country. In short, up to the eleventh century, no foreign language was used either in Europe, or in Asia, in judicial proceedings. William the Conqueror first commanded all the law business in England to be conducted in Norman French. He endeavoured to abolish the English language, and ordered Norman French to be taught in all the schools. The two languages being concurrently spoken, after a time assimilated to such a degree, that "an Englishman with a week's preparation understood Norman French as well as a Parisian." The Norman language being so easily learned, tended to lessen the grievance.

Mahmoud, the conqueror of India, like William the Norman, brought his native language into general use. Persian was taught in the schools, spoken at court, used in state papers and diplomacy, and became the language of all judicial proceedings. From that period to the present day, this badge of servitude has been continued. The lawyers in England, from the time of Edward III. to that of George II., clung to the barbarous law French and law Latin, under the sly pretence that they could express themselves more concisely in those jargons. Our Asiatic civilians say the same of the Persian, though few of them speak it so correctly as the languages of British India.

They plead, too, the antiquity of the present system, but, looking back to the ancient Hindoo governments, I plead a nobler precedent and a still higher antiquity.

It should be recollected that William the Conqueror used every effort to make his native language current in England, and that after his time it became so blended with the English that it was easily understood. Mahmoud observed the same policy, and the consequence was, that the Persian language during the Mahomedan rule was understood by a vast portion of the people. Not so under the British government. The schools till lately have been neglected, and the Persian has been little taught. Thus not one in a thousand speaks Persian, and the great bulk of the people are as ignorant of the language in which their law proceedings are conducted, as the people of England would be if theirs were conducted in Greek.

This being "as evident a badge of slavery as ever was imposed on a conquered people," the grievance should be redressed. The remedy is plain,—let the law proceedings be written in a language intelligible to the people. The Bengalee is spoken by twenty millions, Or if one language must be adopted, let it be the Hindooostanee, which is understood in every part of the country, "This language," says the great oriental scholar, Dr. Gilchrist, "is attainable, if conducted on rational principles, by diligent application for two months in London, and during the subsequent voyage to India." Mr. Metcalf supports this opinion. "From my own experience," says he, "and the information I have received from others, I would venture to walk from Cape Comorin to Cashmer, or from Ava to the mouths of the Indus, confident that I should every where find people that would speak the Hindooostanee. This language is, perhaps, more extensively spoken than any in the world." The whole of this

question I have found most ably discussed in the Calcutta Journal, and in "The Friend of India."

"The Government of India, for reasons of state, has reserved to itself the power of ordering into confinement, and retaining there, any person whatever, where the exigency of the case may appear to require it." Under this authority some gentlemen of high rank are left unheard of to achi'e out their lives in prison. The Rajah of Ganjam, accused of murder, was ordered to appear before a British court of justice. Not having obeyed the summons, Colonel Fletcher was sent with some troops to support the decree of the court. On the approach of the force, the Rajah consented to appear, but the troops dashed on, seized the prince, and shared out the booty on the spot. The Rajah was then arraigned on the charge of murder, and acquitted. He was, however, still kept in custody, on account of his rebellion in not attending the summons of the court. Under the silent despotism of the Madras Censorship, this poor prince may perhaps be still enjoying social happiness with some fond spider, unless old *Cholera* has gained access to him, and has freed him from his gloomy cell. The Rajah was summoned from the country to attend the military trial of Colonel Fletcher at Madras, but was afterwards stopped at the Mount, a place in the vicinity of the capital, to prevent his having recourse to the law. He contrived, however, to send an emissary to obtain a writ of *Habeas Corpus*, but the messenger was put into confinement for having dared to seek redress for the Rajah in the supreme court. Is this British justice? And could such a course of oppression be silently pursued, except under the protection of the base Censorship?



SECTION XVI.

Effects of a Free Press in preventing Flogging.

“ In Turkey, where little regard is shewn to the lives or fortunes of the subjects, all causes are quickly decided: the Basha, on a summary hearing, orders which party he pleases to be bastiadaoed.” —*Montesquieu.*

ENGLAND has been disgraced all over the world by her system of flogging. In London, a few years since, a soldier of the Guards to avoid this punishment, cut his throat in the front of his regiment and expired. The illustrious commander, and officers and men, were horror-struck, and flogging has ever since been discountenanced in that famous corps. Louis XV. introduced the German system of discipline into the French armies. When the edict for punishing with blows, even of the sabre, was promulgated, Le Mesurier says, that it caused the desertion of 30,000 men. Marshal Broglie’s attempt to introduce corporal punishment, with other plans of German discipline, rendered the army indifferent to the fate of the unfortunate Louis XVI., and was among the causes which led to the Revolution.

One disposed to revolution would therefore say, flog away, this great evil will produce a lasting benefit to mankind. Buonaparte, speaking of flogging, says, “ The Austrians could never make soldiers of the Italians. They deserted and ran away. I raised Italians. They fought with a bravery equal to the French, and did not desert me even in my adversity. What was the cause?

I abolished flogging and that stick which the Austrians had adopted." Still the military discipline of Napoleon was austere, and his object was to form "une peuple porté à la gloire." The King of Sardinia has lately restored this punishment, and we have yet to learn whether the Italians will prove as loyal and valiant under his lash, as they did under the mild, but strict discipline of Napoleon.

In America, it is notorious that Mr. Hodge, a Member of His Majesty's Council for the Virgin Island, murdered above one hundred of his wretched slaves by the lash. He united the pranks of a monkey with the cruelty of a monster. The laws restricted the number of lashes to forty. These butcheries were, nevertheless, carried on in open day, in the public street of the capital, and in the sight of the clergy and magistrates. When Hodge was brought to trial, he asserted that a slave was property, and that it was no greater crime to kill a slave than to kill a dog. The jury, though they had the clearest evidence of his crimes, deliberated more than an hour and a half before they returned a verdict of guilty, and then a majority of them recommended him to mercy. Such was the sensation created in favour of Hodge, that Governor Elliot, a gentleman of an enlightened and most benevolent character, repaired to Tortola, called out the militia, and proclaimed martial law in order to awe the turbulent Islanders.

In Africa, Mr. Gibhart has lately been found guilty of the murder of a slave, whose death was occasioned by excessive punishment. The man was the property of a clergyman and of his own father.

And Asia has still to mourn the cruelty and wrongs of Britain. At Hydrabad, two men were accused of

having committed a robbery in or near the Residency, and without formal trial sentenced to be flogged. They were accordingly flogged in the presence of a surgeon, by drummers of the celebrated Royal Scots, and died of the punishment. The judge, the surgeon, and the executioners, were guiltless of the murder as he who relates the story. The former was, however, guilty of the exercise of arbitrary power, a crime always fatal in its consequences.

The next case to be mentioned is that of Shaik Modeen, a sepoy of the Madras cavalry. This man was sentenced by a regimental court-martial to be flogged. The culprit, to avoid so ignominious a punishment, cut his throat. Some days after, Shaik Modeen was flogged, and then forced with his cut throat and lacerated back to mount his horse, and in that state to march in front of his regiment. Now we have the authority of a most distinguished officer of the Madras army, and one too who has deeply studied, and is fully conversant with the Native character, to condemn this species of punishment.

“Attempts,” says Sir J. Malcom, “to introduce into the Indian army the German, or now naturalized English system, the severity and hardships of which were altogether unsuited to the character of the army, proved abortive: for though it produced some superficial improvement, it broke in upon those principles of good understanding, confidence, and attachment, which had before existed between the soldier and the officer, upon which principles depends the strength of all armies.” This was then one of the causes which produced the mutiny in the Madras army. Another instance was to be found in the case of Major ----- of the Madras Cavalry. This unfortunate Martinet was in 1816 shot through the back by a trooper of his own corps. None

of these cases could be published under the Madras Censorship.

The last case to be noticed is that of Mr. John Hays, a Judge and Magistrate in Bengal. He was tried in the Supreme Court of Calcutta for the murder of Portaub-Naring Dos, a gentleman tenderly brought up, of respectable family, and the possessor of a large Zemindary.* It appears by the proceedings, that Portaub-Naring Dos had been let out of prison on bail, that a few days before his release his child had died, and that he had gone home without permission and broken his bail. For this offence, this gentleman, without any formal trial, was bound to a stake, in rear of a *British Court of Justice*, and there scourged. No surgeon was present. Four days after Portaub-Naring Dos received this flagellation, he died. Randacant Dutt, Portaub-Naring Dos's agent, in the presence of the nephew of the deceased, and of the public executioner of the court, requested Mr. Hays's sanction to send the corpse to the house of the late Portaub-Naring Dos, where he had a son, nephew, and other relations, that the funeral ceremonies might be performed. *Mr. Hays refused to grant the request.* The corpse was therefore taken to the banks of the Goomptee, by convicts and others, and there burned. The defence set up was, that Portaub-Naring Dos had died of the cholera, and the jury returned a verdict of acquittal. Now the writer presumes not to arraign the sentence of the jury: on the contrary, he feels quite confident that none but a monster would *intentionally* commit such an act in cold blood, and even a monster would be deterred from it by the dread of retributive justice. He contends, however,

* Estate.

against flogging a man without previous trial, against the illegality of flogging for a contempt of court, and of flogging one of high station. The preventing of the body of an untried, and therefore innocent gentleman, from being given over to his relations for decent burial, was an act of indecorum and crying injustice, calculated to shock the religious feeling of the Hindoos and the moral feeling of all mankind. A report of the proceedings is recorded in the *Asiatic Journal* for December last, and which is taken from the *Calcutta John Bull*. I solicit the reader to peruse it, and to judge whether I have been guilty of overstating the case. The trial of Mr. Hays was published at Calcutta, whereas, under the base Censorship of Madras, it would have been suppressed.

Events such as these never happen but where flogging is sanctioned by the Government. Who ever heard of a man being scourged to death under the arbitrary sway of Napoleon? These bloody tragedies, which no civilized audience would witness, are perhaps rather advantageous to a community subjected to the lash. They strike the rudest heart with horror, and check the evil. But legal floggings, dreadful as they have been described, are still more so in their consequences, because the power given to the servants of the Government is assumed by every one over his inferior, and the practice of striking becomes general. Flogging is, in fact, more pernicious than the rack. Torture is always limited in its operation to a few, and the punishment shocks; whereas, flogging becomes unlimited and universal, for every man carries the instrument of oppression in his hand, and uses it as passion, or caprice, or judgment may dictate.

The korah is a leathern scourge used in some jails in India. When this punishment is inflicted, the back of

the offender is covered with a leather jacket, to protect his body from the stripes. A respectable writer recommends, in case flogging be continued, that a cat of nine-tails should be substituted for the korah, because it would not endanger the life of the offender. This humane gentleman is in error; the cat, like the korah, has often occasioned death: rather let him recommend the leather jacket.

The honourable Court of Directors would do well maturely to consider whether the advantages derived from flogging, especially flogging without trial, are such as to counterbalance the cruelties and evils that result from it. To the writer it appears, that the power given to certain of their servants, of scourging men without any formal trial, is contrary to equity, is subversive of justice, is liable to great abuse, and is calculated to produce the wide-spreading evil of club-law and universal oppression.

To Great Britain, flogging is a disgrace. May she follow the noble example set by France, and abolish it in every part of her Empire!



SECTION XVII.

Effects of a Free Press on Agriculture.

"The Agriculture of the Hindus is wretched in the extreme. The rudeness of their implements, the slovenliness of their practice, and their total ignorance of the most simple principles of the science, are all equally remarkable. The husbandry of the South of Europe is bad; but when compared to that of India, it is perfection."—*Edinburgh Review*.

THE Free Presses of Bombay and Calcutta have lately thrown upon this subject great light, which has been diffused all over India. The agricultural interests must to every Government be of primary importance. To British India they are more especially so, because nearly three-fourths of the revenue is derived from the land: consequently, the question of finance resolves itself into one of cultivation. The benefits resulting from the science of agriculture are admitted. Sir H. Davy mentions a striking instance of its utility: a single grain of wheat, the staple food of life, by transplantation every two or three months, has been known to give forty-seven pounds four ounces of grain. Yontchung well knew the advantages to be derived from the improvement of agriculture. In each province of China, the cultivator whom the magistrate judged the most honest, intelligent, and industrious, was raised to the rank of Mandarin. He remained a labourer, but had the right to sit and to eat with the viceroy of the province, and his name was inscribed in letters of gold in the public temple.

In order to promote the agriculture of India, it is

desirable in the first place, to give the cultivators a permanent interest in the soil. For of all monopolies, that of the land is the worst, because it is the most injurious to the community. "In despotic governments," observes Montesquieu, "there is none that labours more under its own weight, than that wherein the prince declares himself proprietor of all the lands and heir to all his subjects. Hence the neglect of agriculture arises; and if the prince intermeddles likewise in trade, all manner of industry is ruined." Lord Cornwallis's perpetual settlement of the lands will immortalize his name and that of his country. The act was noble, but it was undigested and premature. The property was left in a few hands, who oppressed and distrained the cultivators. The condition of the great body of the people for the time was little ameliorated. This is at worst but a temporary evil, because the large estates will be subdivided among the descendants of the present proprietors. The permanent settlement of Madras was still more crude. The estates were put up to auction, and sold to Dubashes* and other speculators, persons ignorant of the arts of agriculture, and from remote parts of the country. These new proprietors shared out their lands to agriculturists at a rack rent, and often called upon them for payment before it was due. When their demands were not attended to, the landlord distrained the farmers. The State called upon the proprietor for their tribute. Being unable to fulfil his compact, the estate was again put up to auction and sold at a reduced price. These evils were again and again repeated till the lands were exhausted and the cultivators ruined. A permanent settlement should be made with great

* Agents.

circumspection. The precise value of the fields should be first ascertained by the Munro system. Then, instead of granting the lands in large portions to Zemindars, as in Bengal, or as at Madras, putting them up to auction, and selling them to merchants and clerks, and others ignorant of husbandry, they should be distributed at a moderate price to the resident farmers.

Under the administration of Lord Minto, a man of worth and sound principle, a permanent settlement was granted to the farmers of the upper provinces of Bengal. The Court of Directors refused to sanction the grant, so that the local government, in the estimation of the Natives who know nothing of the supreme authorities, were guilty of a breach of faith. The impression should be removed by a fulfilment of the promise.

The great source of oppression in all governments is the passion for extortion. This prevails to a cruel extent in India. It is an inconsistency in the system that the collector of the rents should have been previously employed to estimate them. He naturally endeavours to recommend himself to the notice of the Government, by exacting as much as possible from the farmers. The local governments, on the same principle, wish to please the Court of Directors, who, though distinguished for a noble generosity, are desirous of increasing the resources of the state. The Boards of Revenue have often complained of excessive taxation, but to no purpose. The ruling power, upon an average, takes nearly one half of the gross produce. To check such an improvident course, and to prevent extortion, it might perhaps be wise to limit, by law, the land-tax to one-third.

This over assessment of the lands prevents the accumulation of capital, and thereby checks all improvement.

The farmer has no money to set more industry to work, and an impoverished nation cannot purchase merchandise. Thus the avarice and short-sighted policy of the Government tend eventually to injure its own resources. Over assessment often incapacitates the farmers from paying their rents, and their lands are then set up and sold to the highest bidder. Owing to these actions, half the ancient proprietors of land have been dispossessed of their estates. The sale of land by auction, or otherwise, was unknown in India before it was introduced by the British Government. "The defaulter under the Native Government might have the administration of his estate taken out of his hands, might be imprisoned, flogged, tortured, or forced to become a Mussulman, or to suffer death, but not permanently dispossessed of his estate or title."

It is a remarkable fact that a Government which derives the bulk of its revenue from the land should neglect agricultural improvement. This is nevertheless the case, as the following facts will prove.

1. The manuring of land is not practised in many parts of India.
2. The Indian plough is unsuited to many soils, and is of such bad construction that it merely scratches the surface of the ground. The consequence is, that near Allahabad, and in other parts, the fields are often ploughed fifteen times before they are fit for sowing.
3. The harrow is often made of the bough of a tree.
4. The machine used for a roller resembles a ladder. Two men stand upon it to increase the weight, and it is usually drawn by four bullocks.
5. A rotation of crops is unknown in several parts of India.

- 6. There is a general want of green crops.
- 7. The farmers are supposed to lose one-tenth of their corn, from the manner in which they collect it, and from thrashing it by the tread of bullocks.
- 8. The corn is generally ground in hand-mills.
- 9. The cart has two wheels often made of solid pieces of wood, and not three feet in diameter; they are never greased. The roads are so bad, that generally the carriage is performed on the backs of men and animals.

Irrigation is the great means of promoting agriculture in hot climates. Vast tracts of land formerly cultivated, owing to the water lying so deep are now become mere jangle.* In these and other parts the water might be forced up by steam engines, or raised, during the hot winds, by windmills.

The reasons assigned for the neglect of agriculture are, that the Natives are too much prejudiced to their ancient habits to be driven from them, even to promote their own benefit, and that their simple mode of agriculture is suited to the actual state of society. Education is the remedy for both these evils, and it has lately been diffused all over the country. The force of example, too, operates powerfully on even prejudiced minds, as is proved by the following statement. At Poosa there is a great quantity of manure, produced by the Company's breeding stud, but the prejudiced farmers refused to use it. Mr. Moorcroft overcame this prejudice. He caused a large tract of ground to be divided into two portions; one of which was manured. He then sowed the whole with the same grain. During the progress of this culture he invited

* A country overrun with wood or long grass.

the neighbouring farmers to inspect his operations, and to make their remarks on his system. Thus, when the corn grew up they had ocular demonstration of the advantages produced by manure, and after a time followed the example. In many parts of India, this prejudice does not prevail. Mr. Moorcroft also introduced the cultivation of oats in India, and with such success that they are produced at a much lower rate than gram.* He causes the sheaves to be given unthrashed to the cattle. By this means the expense of boiling gram and keeping grasscutters to provide the horses with forage, is saved. Potatoes and indigo have been introduced in British India, and successfully cultivated. Formerly arrow root was imported at a great expense. A Mr. Brown has lately cultivated this plant on his farm on the Coromandel Coast, and he now furnishes all the Bazahs with it at a very low price. The cultivation of Indian arrow root has lately been introduced into Ceylon.

From the facts stated, it is evident that the agriculture of British India has been neglected, and is susceptible of great improvement. The best means of improving it would be by the introduction of English capital, skill, and industry. There would be no danger of colonization to any extent from this source, for the low price of labour would prevent any considerable number of Europeans from establishing themselves in that country. Colonization being, however, contrary to our policy, other means should be resorted to. Perhaps Boards of Agriculture would be the most effectual. The objection made to these Boards is, that they are prone to jobbing, and that it is difficult to find a sufficient number of men of science to

* A sort of pea.

compose them. The first reason is equally applicable to all government establishments; the latter does not apply, because men of humble acquirement would be quite equal to the task of spreading the first rudiments of this useful science. Boards of Agriculture, composed of a few intelligent Natives and Europeans, might be established at each of the three Presidencies, and an experimental farm in every district. The improvements of one district might then be introduced into every other to which they were applicable. Plants of other hot climates, and other quarters of the globe, might be tried in India. By these means the Natives would be enabled to judge by ocular demonstration of the advantages of better implements, and an improved system of agriculture; and the revenues of the State would be increased.

“The improvement of the Provinces of Bengal and the Carnatic,” says the Edinburgh Review, “ought to be as much an object of attention as the cultivation of the counties of Middlesex and Dublin.” This, too, would have been the case had the Press been free, but all things are checked, or retrograde, where unnecessary restraints are imposed on the operations of the human intellect. Under a Censorship this article would be suppressed. No one would be allowed to recommend instruction and colonization, or to expose the evils arising from over assessment, a monopoly of the land, and a bad system of agriculture. A writer can there only exclaim with the optimist, “whatever is, is best.”



SECTION XVIII.

On the Danger of a Free Press.

"Excesses are never the offspring of reason or misrepresentation, but of power endeavouring to stifle common sense or error."—*Godwin.*

MUCH has been said of the danger of a Free Press; and security, it would seem, depends on reducing men to a kind of annihilation—to that silence which characterizes despotism.

"There have been ways found out," says Andrew Marvel, "to banish ministers, to fine not only the people but the grounds where they assembled, but no art yet could prevent the seditious meetings of letters. Two or three brawny fellows in a corner, with mere ink and elbow-grease, do more harm than an hundred systematical divines with their sweaty preachings. Their ugly printing letters, that look but like so many rotten teeth, how oft have they been pulled out by the public tooth-drawers; and yet these rascally operators of the Press have got a trick to fasten them in again, and they grow as firm a set and as biting and talkative as ever. O Printing! how hast thou disturbed the peace of mankind! That lead, when moulded into bullets, is not so mortal as when founded into letters! There was a mistake, sure, in the story of Cadmus; and the serpents' teeth which he found were nothing else but the letters which he invented."*

Would you trust a child, says the alarmist, with a

* *Rehearsal Transposed.*

lighted candle in a powder magazine? No; we would take away the combustibles. India should not be left in the inflammable state in which it is represented by these metaphorists, lest the people should be excited to internal commotion, or provoked to join the invader. Do not treat India as a colony. It is a hateful word, associated with misanthropy and oppression. Treat her with the justice and humanity that is due to the subjects of the mother country, and she will be to you equally attached. If India be not actually represented in a parliament of her own, let her be virtually represented in yours. Knowledge, say the enemies of a Free Press, leads to independence. This is an argument against all improvement. The interest of the government is thus set at variance with that of the people. A more unsound and immoral doctrine cannot be imagined. Rather say that maladministration must lead to your downfall. What great country ever sank a prey to her virtues? Govern India well, and even your usurpations will be a blessing to her. She will prove a curse to you if you govern her like dastards, and clap a padlock on her mind and stifle her reason. A well-governed dependency and the mother country should mutually derive wealth and strength and happiness from the connexion.

Free discussion is thought to be the source of revolutions. True; the Press of England has revolutionized Europe. Had France, Italy, Spain, Portugal, and Turkey, enjoyed free discussion, instead of being exposed to explosions, they would have been gradually reformed, like England, Holland, and Switzerland. "Les révolutions qui arrivent dans les grandes états, ne sont point un effet du hazard, ni du caprice des peuples. Ce n'est jamais par envie d'attaquer qu'elles se soulèvent, mais par impa-

tience de suffrir."* In France, previous to the Révolution, the Press was shackled. During its rage, it was under the control of a domineering faction, a council of demons exercising a dreadful despotism over the mind as Censors, and as Sovereigns exercising a bloody despotism over the body. The works of Voltaire, Rousseau, and others, had contributed to produce the Révolution by the exposure of accumulated abuses; but this catastrophe might have been prevented by the chastening influence of a Free Press, and by giving a constant vent to public feeling. On the contrary, it is well known that Montesquieu was obliged to publish his *Esprit des Lois* at Geneva. The Abbé Raynal, for publishing his *Histoire des Indes*, was found guilty by the Parliament of Paris of the crime of Impiety. "Si on l'eut saisi, on l'aurait sans doute brûlé, pour lui prouver que sa doctrine était erronée."

To assert that discussion on religious topics will excite religious rancour among the Natives of Indostan, is to be unmindful of their history. They are a tolerant people, and exceedingly fond of discussion, especially on religious subjects.† With such a people you may safely reason, in conformity to the wise principles of religious freedom, but beware not to act. You have nothing to fear from a Buckingham, a Rammohun Roy, or from Missionaries, provided your Censor of Heretical Pravity at Madras does not interfere with the writings of the Hindoos, or wage war with their gods or monkeys.

Some assert that the society of India is too limited to be entrusted with the Liberty of the Press. The governing power is always limited, but the power govern-

* Sulli.

† See *supra*, p. 87.

ed forms a part of that society, and that is no where more extensive than in Indostan. A Free Press is accused of "setting society by the ears"—that is, the *wrong doers* are exposed by the conductors of the Press. A good man may be calumniated under a Censorship, but such a one might set all the Free Presses in the world at defiance. Discussion, it is said, may prove dangerous to our commercial interests and to the Company's monopoly. It would be very hazardous, for example, for a Madras Editor to state in his journal, "that the Commercial Resident employs a secretary or banyan, the secretary a broker, the broker an hircarrah, and the latter communicates with the weaver's broker. Thus the Company's servant is five removes from the workman, and the latter is often obliged to take 30 or 40 per cent. less than the work would fetch in the market."* A Madras Editor might safely say, that "a British merchant travelling about India on his business would occasion more trouble than a regiment of sepoys;" but woe betide him if he dared to assert that such a remark arose from a prejudice unworthy a great mind, though it is well known that our merchants traverse the world by sea and land without occasioning inconvenience to any government.

Some speak of the danger of the Press on account of the remoteness of our Eastern empire; but if England be remote from India, no less remote are Russia and other rival nations. Persons there are, who have been nurtured under despotic rule—bashaws, with pale faces and soft manners, but with hearts of steel—who condemn a Free Press, as inconsistent with the customs of hot climates. Such men prescribe geographical limits

* Mill's *British India*

to the cultivation of the mind, and would measure genius by a thermometer. They are absorbed in selfish feeling, Land, trade, religion, liberty,—all they would monopolize. They hate permanent settlements and a free trade. Censors of Heretical Pravity they supported. The Natives they in reality despised, and scarcely considered black men as of the human species; still, under the garb of philanthropy, they insidiously contended for their worst customs and usages—for Asiatic despotism. These English bashaws were fascinated with the splendour and the tranquillity of absolute rule, unmindful that those benefits were accompanied by extortion, licentiousness, and misery—by torments, assassinations, military mutilies, rebellions, invasions, and conquests. Let them read the histories of Indostan, or of Persia, or of any other despotic government, and they will find it “un ramaa de crime, de folie, et de malheur, avec quelques vertus.” * The steps of the soubahs those Anglo-Indian lords followed with servile fidelity, and adhered to a kind of geographical morality. “Seamen,” says Burke, “have a custom of dipping persons crossing the line, so by that operation every one who went to India was to be unbaptized, and to lose every idea of religion and morality which had been impressed on him in Europe. They pleaded the local customs of India as requiring the coercion of arbitrary power, and it would be admitted that peculators and tyrants had existed there from time immemorial.”

From vicious men and visionary dangers such as these, we turn with pleasure to the acts of a virtuous Ruler. He, we mean, who has laid the solid foundation of know-

* Voltaire.

ledge and security where furious anarchy, or worse than anarchy, where dark priestcraft and long-lived despotism had prevailed. Our government in the East is a government of opinion. The leading maxim of British policy rightly understood is this, "Do as you would be done by," and that of her Asiatic subjects is gratitude and submission. A nobler compact cannot exist between man and man.

Those who wish to know what can be said in favour of a Censorship, should read the work of "the celebrated Von Gentz, on the Liberty of the Press." He is considered one of the ablest political writers of the age, and has been in the pay of England, Prussia, and Austria. "The dangers of the Press," this Aulic Counsellor contends, "are such, that there remains no source for ministers to take, except to endeavour to maintain a certain balance in the political machine, by redoubling their efforts, to extend their own power, and consequently to limit individual liberty." The question now is, Mr. Gentz, not whether your Holy Alliance has a heart firm enough, but whether it has an arm strong enough to accomplish your *amiable* purpose? Whether the Holy Alliance, backed by a million of valiant and disciplined soldiers, shall prevail to stifle the free spirit of the age or to master its strength? If not, it would perhaps be prudent in these potentates by their active virtue to secure the love of their subjects, and thus to demonstrate the superiority of kingly rule. Wise men differ as to the construction of free governments, but none prefer permanent despotism, such as that in Russia or Turkey, where life and property, whether of king, nobles, or people, are in perpetual danger.

Gentz, speaking of English writers, says, "Cobbett

is still more licentious than Junius, without possessing a spark of his superior mind." Should "the celebrated Von Gentz" be reduced to the hard necessity of measuring weapons with Mr. Cobbett, in the collision sparks may be emitted, which, however harmless in themselves, for sparks are always so, might prove to the mighty counsellor of the Holy Alliance the dangerous strength of his antagonist.

I conclude this Section in the language of two eminent writers, one of whom has taken a political, and the other a philosophical and Christian view of this important subject.

"I would not forcibly suppress this book," says *Wakefield*, after ably exposing and severely censuring *The Age of Reason*. "Prudential motives would prevent me: because such interdiction serves only to excite the restless curiosity of mankind. Motives of philosophy would prevent me, because inquiry and discussion are provoked by free propagation of opinion; and sparks of truth, which would otherwise have been concealed for ever, are elicited by the collision of debate, to the unspeakable emolument and illumination of mankind."*

"The Liberty of the Press," says that wise Tory, *Hume*, "however abused, can scarce ever excite popular tumults or rebellion. And, as to those murmurs or secret discontents it may occasion, it is better they should get vent in words, that they may come to the knowledge of the magistrate before it is too late, in order to his providing a remedy against them."

* "Letter to Sir John Scott," in *Memoirs*, II. 42.



SECTION XIX.

On the Licentiousness of a Press under a Censor.

“Despotism defeats itself, by its connexion with that very *licentiousness* which it professes to oppose. An unbounded licentiousness generally enjoys countenance under the nod of tyranny. Licentiousness is a freedom, from the restraints of justice and reason, which despotism claims.”—*Halhed.*

No man is justified in publishing what he knows to be false. A Free Press, however declaimed against for its excesses, is in its nature and conduct far less licentious than a Censorship. Where liberty of discussion is allowed, should a writer assert falsehood, he is immediately confronted with truth. Should he libel an individual or the state, he is subjected to be tried and punished for his crime. Not so under a Censorship. Truth may there be suppressed, and falsehood reign in mad triumph over a nation whose thoughts and groans are stifled. All learning is, in fact, subject to the despotic will of a mercenary Licenser. A short statement of facts will suffice to shew the licentiousness of public writings and conduct under despotic governments.

The Holy Fathers of the Inquisition at Goa caused the ancient and sacred writings of the Syrian Christians to be burned. The Censor of Heretical Pravity at Madras has prevented the Prayer Book of the Unitarian Christians from being published—a conduct the more extraordinary, since it had pleased the late pious Mr. Harrington and an excellent member of the church at Fort St George, though both of another religious persuasion to honour the institution of Pursewaukum with thei

countenance and protection. Here the tolerant spirit of the true Protestant stands nobly contrasted with the persecuting conduct of the Censor of Madras. The worthy Court of Directors, like a former king of Portugal, tolerate liberty of conscience; but the Censor of Heretical Pravity at Madras, like the Inquisition at Goa, interprets the permission as allowing men to live in an unorthodox faith, but not to practise its ceremonies; so much of persecution the times would yet endure.

In a former age, a Censor would not, probably, have been so humane; but rather, to the extent of his power, would have imitated the following example: "La déclaration de 1563, avait conferme un édit de Henri II. lequel prononçait la peine de mort contre tout imprimeur, libraire, ou particulier, qui imprimérait, vendrait ou distribuerait, sans privilège, un ouvrage quelconque. C'étais d'après cet édit, qu'on fit pendre à Paris, des marchands de Genève qui avaient apporté des livres des prières à l'usage des Calvanistes."*

Another act of licentiousness, where a Free Press was unknown, was a libel on a Governor-General of India, the friend and biographer of Sir W. Jones, and who is at present the President of the Bible Society. This nobleman, so distinguished by the state, and for the purity of his manners, was accused in an official paper from Tippoo to the Porte, of having violated the widow of the Vizier of Oude. When I was at Seringapatam some years after, a Native of rank gravely asked me, whether it was true that his Lordship had made this uncourteous assault upon the sacred person of the black Dowager. This slanderous falsehood I should have publicly contra-

* *Manuel de la Liberté de la Presse*, (1819,) p. 5.

dicted, had I been without the range of the Madras Censorship.

A libel of a still more atrocious character appeared in the Madras Gazette, though the Censorship, exercised there at that time, was nearly as rigid as that exercised by the Inquisition. The Gazette was edited by a public servant, receiving a salary for the performance of that duty; he was employed as the Company's astronomer, and was esteemed a learned and honest man, but "ceux qui reçoivent," says Voltaire, "sont toujours de l'avis de celui qui donne." All paragraphs appearing in the Gazette were considered of authority almost equal to an act of parliament, and to give currency to this paper it was circulated post free. Now, under this Censorship, the Company's philosopher and editor, and the Company's philosopher and licenser of licentiousness allowed, as already mentioned, an article to appear in the Madras Gazette, accusing the Marquis of Hastings, then Governor-General of British India, of having planned the murder of two of his relations of the name of Hastings, by sending one to the East, and the other to the West Indies, where they died, and this for the base purpose of securing to himself the title of Hastings. The flagitious falsehood stood contradicted in every bosom, though it still remains unconfuted on the file of the licentious Gazette.

The reader will also recollect how the licenser of licentiousness at Madras suppressed a great portion of Queen Caroline's defence,* and allowed her character to be defiled by all sorts of abominations, though no proceedings can be imagined more offensive to a patriot king. The Press of England, influenced on this question

* I am in possession of several of these suppressed sheets, all of which might have been published in any of our ministerial papers.

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by passion and party feeling, may have been guilty of excesses in the course of the trial, but the result has been a thorough understanding of the case. Not so at Madras. Twelve millions of men have been left to form this judgment on an *ex parte* statement. Thus Mr. Wood, the Licensor, *Prime Minister*, and Censor of Heretical Pravity, allowed the Old Indian's letters to be inserted on the files of the Madras newspapers, and suppressed my answers.*

“A Daniel come to judgment! Yea a Daniel!
O wise young Judge, how I do honour thee!”

The following is a treasonable, blasphemous and licentious bull, which Clement VII. issued against the Emperor Louis of Bavaria. “May God strike him with imbecility and madness! May heaven overwhelm him with its thunders! May the anger of God, with that of St. Peter and St. Paul, fall upon him in this world and the next! May the whole universe revolt against him! May the earth swallow him up alive! May his children be crushed before the eyes of their father,” &c.! Let the Censor of Madras produce in any State where the Press is Free, an equal instance of blasphemy and arrogance.

From the facts here stated, and they might be easily multiplied, it appears that the licentiousness of a Censorship, whether exercised under that name, or comprehended in a system of general despotism, has far exceeded the most passionate throes and unguarded aberrations of a Free Press.

* See *supra*, pp. 80—99.

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